

HISTORY OF SCOTLAND

THE
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FROM AGRICOLA'S INVASION TO THE
EXTINCTION OF THE LAST
JACOBITE INSURRECTION

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AGAIN Scotland was nominally under the rule of a boy. The next heir, James III., was but eight years old when his father was killed. This calamity did not stop the siege of Roxburgh. It is said, indeed, that the widowed queen came to the spot with her son and urged it on. The place was taken, and was destroyed as having been more available to the enemy than to Scotland. Berwick

was now the last remnant of the English possessions on the north side of the border. The government was for some time managed by Kennedy, Bishop of St Andrews, already mentioned as a sufferer in the outbreaks of the preceding reign. He was the first churchman to hold high political influence in Scotland; and his appearance upon the stage affords a slight glimpse of a more civilised and orderly future for the kingdom—not so much because he was a churchman, as because he was a man of peaceful and moderate counsels. His is one of the few political reputations against which no stone is cast. There was comparative peace for a time. The deadly struggle in England removed all fear of an invasion by the great enemy, and drew off many of the troublesome spirits of the Scots border, who fought with their Cumbrian and Northumbrian neighbours in the Lancastrian army. This party appeared to have come to its final doom, and Henry VI. and his queen found refuge in Scotland. The refugee king had still retainers in the north, and he was thus enabled to make over Berwick to Scotland. It is hard to say if he did so from gratitude for the asylum offered to him, or as an inducement to grant the asylum, or because he was thus able to take an item out of the kingdom gained by his enemy Edward. It seems clear that from the Government of Scotland he got nothing more than hospitality, and Edward IV. took no ostensible umbrage at this, continuing the peace with Scotland. At the same time he indulged privily in a little bit of enmity, which has a curious history.

We have seen how that potentate, the Lord of the Isles and Earl of Ross, had been doing his duty like a good subject at the siege of Roxburgh. He was encouraged in such courses by being appointed to an office of so thoroughly Lowland a character as one of the wardenships of the marches. Within two years, however, his son, with a colleague or dependant, Donald Baloch, carried a great army over the north, rieving and ruining. Their operations were so wide that when the Lord of the Isles was called to account, he was charged with attacks on Inverness and Nairn in the north, and depredations in Bute

and Arran in the south.¹ This invasion collapsed as suddenly and inexplicably as it had arisen.² People gave themselves little trouble about the cause of an outbreak from such a quarter. It might be the condition of the country on a sudden change and a minority; it was sufficient for the Lord of the Isles that he had an opportunity. It was discovered, however, though not for some years afterwards, that he had received powerful encouragement on this occasion.

Edward IV. throughout his ostensible diplomacy seemed anxious to keep on good terms with Scotland. He desired not merely to renew the truces, but to establish a lasting peace. Yet it was by him that the Lord of the Isles was lured on to his bootless expedition. On the 2d of August 1461, a commission is appointed for peace "with our beloved kinsman the King of Scots;" yet just two months earlier another had been issued for treating with "our beloved kinsman the Earl of Ross, and our choice and faithful Donald Balagh, or their ambassadors, commissioners, or messengers."³ The refugee Earl of Douglas was a party to this negotiation. It was brought to a conclusion by an elaborate treaty, bearing date in February 1462. By this astounding document it was covenanted that the Lord of the Isles should become for all his territory the liegeman of King Edward and his heirs; and that if Scotland should be conquered through the aid of the Lord of the Isles, he should be lord of the northern part of the land to the Scots Water, or Firth of Forth; while Douglas, should he give proper aid, was to

¹ Act. Parl. Sc., ii. 109.

² Bishop Leslie gives this curious account of its conclusion, as appropriate to the marauders having plundered kirks and "girths," or sanctuaries: "The said Lord of the Ylis, and the principalles of his company, were suddenly stricken be the hand of God with frenessy and wodness, swa that thai loste all thair shippis and pray in the see in thair retorning; and thare throuch of thair ain will causit restore the Erle of Athole and his ladie agane, and came tham selfis to Saint Bridis kirk in Athole for the recovering of thaire health, as they wer na thing the better."—P. 34.

³ *Fœdera*, xi. 475, 476.

be lord of all the district south of the Forth—both districts to be held in strict feudal dependence on King Edward and his heirs. Meanwhile, and until he should reap this brilliant reward, the Lord of the Isles was to have “for fees and wages” yearly, in time of peace, a hundred merks, and in time of war two hundred pounds; while his assistant, Donald, was to receive a retainer, amounting to about twenty per cent of these allowances.¹ This affair did not become known in Scotland until 1477, and we shall see what effect it had when it was revealed.

So little had there been in public events for many years to recall the old claim of homage that it might well be treated as a legend of past history. But some transactions of a thoroughly secret character have left clear evidence that the matter was not forgotten by the Government of England. It is just about the period when Douglas became a welcome guest at King Henry's Court that there are known to have been deposited, with much solemnity and mystery, in the English Treasury, a collection of documents momentous in the tenor of their contents. These set forth conclusive evidence of the vassalage of Scotland to the crown of England. They formed a complete series of writs. The fundamental document among them was a patent writ by Malcolm Canmore, acknowledging that he held the whole realm of Scotland and the adjacent islands in liege homage and fealty of Edward the Confessor, as his ancestors had held them of the King of England. The document is tediously elaborated with feudal technicalities, and all the reiterations which the Norman scribes employed so profusely to put the feudal obligation beyond question or cavil. To strengthen the acknowledgment it carries the consent of Malcolm's son, the Earl of Carrick and Rothesay, and of the magnates of the realm, and, as still extant, has appended to it a seal with the lion of Scotland in the double tressure. This is followed by a succession of documents connecting it with later times. A charter of King Alexander III., confirmed by David Bruce, grants certain

¹ *Fœdera*, xi. 484; *Rot. Scot.*, ii. 405.

privileges and immunities to the Church of Scotland, conscientiously reserving all the rights belonging to the sovereign overlord the King of England. To neutralise the Treaty of Northampton, King David issues letters patent, declaring that, notwithstanding any releases, quit claims, and so on, granted by any king of England, he holds Scotland in fealty of the King of England like all his ancestors. By other documents, privileges are conferred by the King of Scotland on certain persons, reserving the rights of the King of England as lord paramount; and subjects of Scotland offer their allegiance, reserving the same rights of the lord paramount. The documents are of considerable bulk, and tedious in the carefulness with which they accumulate testimony to the admission by all grades in Scotland, from the king downward, of the nation's infestation to the King of England.

The external history of this cluster of writs is that it was chiefly, if not entirely, collected by John Hardyng, the author of the 'Chronicle in Metre, from the first beginning of England until the Reign of Henry IV.' Among the other eminent events recorded by him are his own services in collecting these valuable writs, several of which he obtained, not only by subtle devices, but at the risk of his life. He got some pecuniary recompense for his services, but it did not content him; and in support of his further demands he produced, as a testimony to the value of his services to the King of England, a letter patent under the Privy Seal of James I. of Scotland, offering to pay to him "one thousand marks of English nobles without delay, default, or malyngyn," if he deliver up certain documents, which are easily identified as those which so seriously compromise the independence of Scotland.

The documents themselves are all palpable forgeries. They prove their falsity by gross anachronisms, and by a completeness for their purpose which, although they range over many reigns, could only be accomplished by what dramatic critics call "unity in time and place." The story illustrates the common moral, that those employed in treacherous projects are apt to deceive their own employers. The ostensible service of the person who

brought this treasure to the Court of England was, that he had got fraudulent possession of the documents with great personal risk ; his real service was their fabrication. He pleaded the efforts which the King of Scotland made to recover them as enhancing their value ; but the King of Scots' letter offering a reward for them is itself a forgery.¹

One of the most important events of this period was the sudden rise of one aspiring family to unrivalled power in Scotland, and its still more sudden fall. The family of Boyd owned the estate of Kilmarnock whence they took their title as lairds or simple barons, with several other estates. The genealogists can show that they had held offices of trust and performed public services, but as yet none of them had reached such state as to become historical. Their rise was accomplished in the one most effective stroke by which a fortune could be suddenly reared in these times—kidnapping the young king. The opportunity for this stroke seems to have come of the employment of Alexander, the younger of the two Boyds, to instruct the king in knightly and athletic accomplishments, in which Boyd was held to be an adept. It was proper, however, that his elder brother, the Lord Boyd, should have the leading part. To carry out the project with any hope of success, accomplices were necessary. They fortified themselves by a Band or Bond, on the plan

¹ There seems little doubt that Hardyng himself had the chief hand in this complicated organisation of forgery. Sir Francis Palgrave says : "It is urged that Hardyng may have been misled ; and that, having made a *bona fide* purchase of the documents, he was imposed upon by the knaves with whom he had his dealings. Hardyng, however, was in all respects more likely to be a deceiver than deceived. He was a diligent antiquary, a collector of ancient documents ; and the style of the forgeries is just such as would result from an individual possessing archaeological knowledge, and yet using it according to the uncritical character of his age."—Documents, &c., Introduction, ccxiv. These forgeries have long been detected, but the most distinct exposition of them is given by Palgrave under the title, "Forged Documents relating to the Subjugation of Scotland." Whatever we may think of his critical sagacity as a historian, Sir Francis was not the man to be taken in by, or to tolerate, absolute forgeries.

so often followed in Scotland, in which no specific enterprise was referred to, but those taking part in it simply bound themselves to stand by each other. To the influential persons who joined the Boyds in this engagement they must have represented the project as hopeful.¹ Lord Livingston, the Chamberlain, was one of the parties to the bond. In his court, held at Linlithgow on the 9th of July 1466, the young king was present on some pretext or other, when Boyd and his companions appeared and bade him accompany them to Edinburgh. They do not appear to have required to use any violence to the young king. The change of scene was perhaps a pleasant sensation, and his new guardians and friends had qualities which pleased and attracted him. Still it was an affair which might be a beheading matter to all concerned in it when an enemy got the upper hand; but those who played such games knew that they cast their life upon a die, and abode the issue. They did the best they could for their security: an Act or Minute of the Estates bore, that in the presence of the young king, the Lord Boyd, respectfully kneeling, implored his Majesty to say if in any wise he and those who assisted in his removal had offended him; whereon the young king stated that, far from being offended at their acts, he held them in love and affection: and then he is made to declare his forgiveness and pardon of anything that might be construed into offence, and his resolution now and for ever to hold those concerned free of impugnement—all with an exuberance of expression and technical precautions which reveal the effort of the conspirators to make themselves as safe as recorded words could make them.²

The Boyds and their friends had now at their disposal whatever dignity, estate, or emolument was unowned or could be safely taken from its owner. The head of the house was appointed guardian of the king's person and

¹ Documents printed by P. F. Tytler, vol. iv., Appx.

² This document has generally been accepted as it is printed in the Appendix (No. xxx.) of Crawford's *Lives, &c., of the Officers of State*.

governor of the royal fortresses. The names of the estates which in the records of the day are transferred to members of the house of Boyd, show that they speedily became masters of a vast tract of landed property.¹ Thomas, the guardian's eldest son, was created Earl of Arran in 1467, and married the Princess Mary, sister of the king.

Events in the foreign relations of the country now occurred which seemed destined to raise the influence of the Boyds, but in the end were connected with their fall. We have to go back two hundred years, to the battle of Largs, and the arrangement by which the Norse claims on the Western Isles were yielded up to Scotland for a money rent. This rent was not paid. It was small—only a hundred merks—and, as it has been said, merely nominal; yet two hundred years of arrears would accumulate into a considerable sum. King Christian, too, had a troublesome empire to rule, and money was at that time a great object to him, so he opened the question of payment or compromise. A large sum of money could not be easily realised in Scotland, and the territories over which the Government had no better hold than the feudal obedience of the Lord of the Isles were not a very valuable acquisition. The question was referred by both parties to their common ally, Louis of France. Before the question was brought to a point it became involved with another. King Christian had a daughter, Margaret, come to the age when it was desirable to seek a suitable husband for her. As there was occasional business between the two courts, her marriage to the young King of Scots began to be spoken of; and in 1467 a solemn embassy was sent from Scotland to treat of the matter, with power to look elsewhere for a bride to the king if negotiations with King Christian should fail. They prospered, however. It was agreed that, on his part, King Christian should abandon his claims for the arrears of rent on the Western Isles, and endow his daughter with sixty thousand florins of the Rhine. As it was not convenient for the Norse king to

See Douglas's *Peerage*, *vide* Kilmarnock.

pay such a sum, he found security for it of a kind very satisfactory.

The Norse king, after the Treaty of Colmar, professed to rule over the three great Scandinavian states—Sweden, Denmark, and Norway. The Orkney and Shetland Isles continued, too, to be nominally under his unwieldy sovereignty. We have seen how they were at one time a province of the great ocean empire which was ruled from Norway, and included part of the north of Scotland and of the east of Ireland. That supreme command of the seas which made Orkney and Shetland more accessible to Norway than to Scotland had long ceased, and Scots influence was pressing in upon Orkney. The bishop there virtually belonged to the Scots Church. The great *yarl* was almost an independent prince, unless so far as Scotland checked him, and he had become virtually a Scots earl. Magnus, the last of the Scandinavian *yarls*, was succeeded by a daughter, who was the first wife of Malise, Earl of Strathearn. He took with her the *yarldom* or earldom of Orkney, and it passed, not in the proper line through her representative, but through a daughter of Strathearn's second marriage, to the house of Sinclair. Thus all connection with the original Norse stock was cut off.¹ King Christian proposed to secure fifty thousand florins of his daughter's dowry on the Orkney Islands. It next occurred to him that, with the exception of some two thousand florins for the bride's outfit, he might secure the balance on the Shetlands, and the proposal, as thus adjusted, was accepted. The ambassadors returned in July 1469 with the bride, and the marriage immediately followed.

The pledging of the islands was a transaction of a kind not unusual at that time and long afterwards. The northern courts were peculiarly addicted to it. It suited the policy of a government ruling outlying districts far from the centre of authority, and would have suited better if there had been anything like a certainty that on the repayment of the money the sovereignty over the impledged

¹ Barry's History of Orkney, 194

district should be as entirely uninjured by the transaction, as the ownership of an estate is when a loan secured on it is repaid. It was not a legitimate and understood result of this transaction that the islands were to become a part of Scotland, and be subject to the government and laws of the state. Technically, such a result might be likened to the holder of a security or mortgage on an estate entering at his own hand into possession, or to a pawnbroker wearing the clothes impledged with him. But material differences are found in the conditions whenever we compare government with ownership. The burdened landlord collects his rents, and pays out of them the interest on his loans. King Christian found it more convenient to require his subjects in the mortgaged islands to pay over the Skat—the land-tax, or chief rent—to the King of Scots. Then, as in other questions between governments, there was no supreme authority to give the lender absolute possession when the time for repayment had elapsed—to foreclose, as it is called in England. Such a result had to come by degrees, and the degrees would be a gradual absorption of the pledged territory into the nationality of the creditor. Such a process is often accompanied by harshness to local or loyal feelings, and injustice to vested interests.¹ The land economy of the islands was different from the feudal system as established in Scotland. Their population could not be said, like the Celts of the west, to be irreconcilable to feudalism, since they had come of the same race as those Normans who were the chief architects of the feudal system. But it had not gone into the northern cradle of their race, though it had gone to Scotland, and the Orcadian Udaller held by a totally different tenure from the Scots feuar. The Government, if it did not force, at least helped and encouraged the Orcadians to become Scotsmen. An immediate step was taken in this

¹ The shape in which such collisions may come out as practical hardships is well told in the introduction to a volume printed by the Bannatyne Club, called 'The Oppressions of the Sixteenth Century in the Islands of Orkney and Zetland.' See also 'Odäl Rights and Feudal Wrongs: a Memorial for Orkney,' by David Balfour of Trenabie.

direction by a change which had no very formidable character in itself: the earldom of Orkney was obtained from the Sinclairs by exchange for lands and dignities in the south, and was annexed to the crown.¹ The dignity, as we have seen, had passed to a Scots family in these Sinclairs; but it had not come by grant from the crown of Scotland, and it was desirable that it should be held by that tenure.

We have seen that within a very short time successive estates had come to the crown, and that Parliament adopted a policy about them; they were not to be at the disposal of the crown, but to remain regal domains for its support. Some of them were to be entirely inalienable; on others the restriction was placed that the crown could only part with them as a provision for members of the royal family. The object of this arrangement was doubtless to obviate the sudden elevation of favourites by the crown, and to avoid or mitigate taxation by drawing revenue out of forfeited estates. Like many others in national politics, such an arrangement may work well or ill according to surrounding conditions. It seems well to avoid burdening the people when other means of meeting the cost of government are at hand, yet it has often been found that the needs of the crown and the necessity for taxation are the security for a nation's liberties. The practice of concentrating forfeited estates in the royal family was taken from France, where it had a very evil influence. The branches of the royal family so endowed were numerous, and became a nobility apart from others, whose great power and feuds among each other caused to France most of her internal miseries. In Scotland there was no such result; the branches from the royal family were few, and we find the law stretched to include royalties not coming within its actual letter. Thus Darnley, to give him rank before his marriage with Queen Mary, was made Earl of Ross; and the title of Orkney, raised to a dukedom, was given to the notorious Bothwell.²

¹ Act. Parl., ii. 102.

² The Act restraining the alienation of Orkney is not very stringently drawn (see Scots Acts, ii. 102), and was not strictly observed.

The money secured on these groups of islands never having been paid, they came to be deemed part of Scotland, and after the union part of Britain.¹ They are nominally a county and sheriffship; but the two groups being distant from each other, with different interests, and local feelings so little in common as to be almost hostile, it has been found necessary to give them separate local institutions.

Boyd, Earl of Arran, was at the head of the embassy which negotiated the marriage and brought home the bride. He found a sad reverse of fortune awaiting him. Whether it was that, being the political head of his own family and faction, they became disorganised in his absence, or from some other cause, strong head had been made against him. In fact, his enemies only waited his return that they might include him in a general proscription of his house. His wife, the king's sister, sent him warning of his danger while yet he had not disembarked, and he returned to Denmark, accompanied by her, in one of King Christian's vessels. There was now a parliamentary trial of the Boyds for high treason. They were charged with the seizure at Linlithgow of the person of the king totally against his will, and with the degradation of the crown, by employing its power for their own ends and interests. They now found the futility of their parchment indemnity, which was held as naught. Only one victim, however, was to be obtained, for old Lord Boyd, after a faint effort to gather a force, fled to England. His brother, Sir Alexander, was condemned and executed.

The long list of their forfeited domains shows how wide their grasp had been in their day of power, and is enough

¹ It has been a question fertile in ingenious speculations in international law, whether, if payment of the dower of Margaret of Norway should at any time be offered, Britain would be bound to restore the islands? Supposing the original sum of money to be a matter beyond doubt, the accounting for the profits raised by the holder of the pledge, as pitted against the accruing interest, would be rather complicated. Thus, in advance of the pure question of international law would come two others hard to decide—How much must be paid? and what government is entitled to redeem the pledge?

in itself to tell us that they must have made a host of enemies in persons not only disappointed but injured. Besides their patrimony of Kilmarnock, there come up in the list domains which proclaim their own importance by their eminence as topographical names—for instance, the lordship of Bute, with its Castle of Rothesay; the lordship of Arran; the lordship of Cowal; the earldom of Carrick; the land of Dundonald, with its castle; and the barony of Renfrew.

These domains were all forfeited to the crown, but were not, in the usual manner, put at the disposal of the crown to be given away at pleasure. The Act of forfeiture rendered it incompetent for the crown to alienate any of them without the consent of Parliament, and assigned the greater portion of them as a principality for the heir-apparent of the crown.

Denmark was not a place where refuge could be got at that time from the wrath of the King of Scots; and although there are doubts about the subsequent fate and history of the fallen Arran, we know that he was in England soon after his flight.¹ It was determined to strip him so entirely of all the gifts which royalty had heaped on him, that he must be deprived of the royal wife who had shown her fidelity by warning him of danger and following him in exile. Proceedings were taken to divorce him from his wife—on what ground or in what shape we do not know. She was afterwards given in marriage to the head of the

¹ Some time before the end of the year 1472 he was in London living at the George in Lombard Street, where he was seen by John Paston, whose letters are well known. He borrowed 'The Siege of Thebes' from the family. Paston calls him "the most courteous, gentlest, wisest, kindest, most companionable, freest, largest, and most bounteous knight, my Lord the Earl of Arran, who hath married the King's sister of Scotland." And again, "One of the lightest, delyverst, best spoken, fairest archer; devoutest, most perfect, and truest to his lady, of all the knights that ever I was acquainted with."—Letters, ii. 97. M. Michel (i. 261) says he served with distinction under Charles the Rash, Duke of Burgundy, who raised a magnificent monument over his tomb in Antwerp; but he has no better authority for this than the statement of Buchanan, which stands in need of confirmation from abroad.

house of Hamilton, which had been rising ever since it gave valuable aid against the Douglasses. This marriage had a remarkable influence on the subsequent history of Scotland. So scanty was the progeny of the royal family that, by this marriage with the king's sister, the house of Hamilton became the nearest family to the throne. The head of that house was, in fact, either the actual heir to the monarch for the time being, or the next after a royal child, down to the time when, in the family of James VI. of Scotland and I. of England, there were more royal children than one.

Within five years after it had swept up the domains of the Boyds, the territorial influence of the crown was increased by another forfeiture. A resolution was adopted to grapple with the Lord of the Isles, and he was summoned to answer for his invasion of 1461. That affair, while it was supposed to have been only a raid by the Lord of the Isles, had been passed over as a trifle. In 1474, however, in the course of negotiations with England, in which the rights of the allies on both sides were considered, the Scots commissioners were made acquainted with the treaty between King Edward and the Lord of the Isles. This entirely altered the character of the Highland raid, and John of the Isles was cited to appear before Parliament on a charge of treason. He did not appear, and to bring him would have been a serious affair—nothing less than a civil war, which might have been a failure. Some demonstrations were made against him, whether with serious intent or as mere menace; but they were stopped, for he submitted to the king.

What followed showed that, though the form adopted was the submission of a criminal to the mercy of an outraged sovereign, the real character of the transaction was a compromise between two powers, one of them greatly the stronger of the two, though that which was the weaker had great resources both for self-preservation and annoyance. The earldom of Ross was taken and vested in the crown, with the condition that it might be bestowed on a younger son of the sovereign, but could not leave the royal family. The succession to this earldom was consti-

tuted in the year 1370, by a charter in favour of William, Earl of Ross, entailing the dignity through a specified succession of heirs-female.¹ It was on one of these dying a nun, that Donald of the Isles claimed the dignity in right of her aunt, his wife. We have seen how serious a use the sovereign of the Isles could make of this hold on the mainland, and can easily understand the policy of taking it out of his grasp. He surrendered at the same time the territories of Knapdale and Kintyre: these are a noticeable feature in the map of Scotland, being a considerable portion of Dalriada, the colony of the Irish Scots. This territory and the sheriffdoms of Inverness and Nairn, also surrendered, remained with the crown.

The islands from which he took his picturesque title were left to the Lord of the Isles; and according to the philosophy of the heralds, his rank as their owner or ruler was raised by the transaction—at all events rendered more legitimate. It had been held by no patent or other writ, but grew like the title of the King of Scots. But on the 25th of July 1476 he was created a Lord of Parliament, as John de Isles, Lord of the Isles. Thus in one sense, instead of holding a mere title of courtesy like the Captain of Clanchattan or the Knight of Kerry, his territory was made a peerage of the realm. From his own view, however, the affair was doubtless seen as an attempt to strip him of his monarchy. At all events, to the arrangements for making him a respectable subject of Scotland, his objections must have been formidable, for at the time of his creation into a Lord of Parliament we find that he had to be propitiated by the gift of considerable lands in central Scotland.² We have another testimony to the strong position of John of the Isles while treating with the king in this, that the patent of his parliamentary lordship was taken to his bastard sons. They were his heirs, as it would appear, by local custom, whatever the canon law

¹ The charter is printed in 'Antiquities of the Shires of Aberdeen and Banff,' ii. 386.

² Douglas's Peerage, by Wood, v. Isles and Ross; Act. Parl., ii. 113.

might say ; in fact the Church, in requiring that the ecclesiastical ceremony of marriage be a condition of the succession of offspring, had made at that time no more progress in the Highlands than it had made in Normandy when William the Bastard became Duke. If the king's advisers thought that they had thus made a docile peer of Parliament out of the Highland sovereign, they found themselves mistaken.

The year 1471 was remarkable for a great ecclesiastical change in Scotland. By a bull from the Papal Court the bishopric of St Andrews was raised into an archiepiscopal or metropolitan see. Such an institution is not in the canonical doctrine essential to a Christian church ; it is mere matter of order and dignity. Priests and bishops ordained after the legitimate form under apostolical descent are necessary, but an archbishop permanently presiding over them is not ; and the Scots bishops chose a chairman or president among themselves as occasion required. It was desirable, however, that they should have a permanent head, were it for nothing more than to exclude the claims of superiority still occasionally maintained by the Archbishop of York. The distinction of the archbishop and the ensign of his investment, was the pallium or neck-band made of the wool of two lambs consecrated according to special ceremonies. It was worn always by the Pope ; and its gift, with authority to wear it on certain solemn occasions, imparted to the legitimate wearer the Papal supremacy or authority.

The man who obtained this distinction for Scotland profited little by his service. He was Bishop Robert Graham, a nephew of James I. as a son of his sister Mary. He had been some time in Rome. It is believed that he had reason to fear the enmity of the Boyds, and that he abode there until their downfall. He was, as Archbishop of Scotland, also Papal Nuncio. Thenceforth he led a life of trial and suffering down to a miserable end. It was quite natural that the suffragan bishops should feel little gratitude for that elevation of the ecclesiastical rank of their Church which was achieved by placing an immediate master between them and the Pope. Any jealousy thus

created was aggravated by the special purpose of his nunciature, which, indeed, was apt to be unpopular throughout all the land : it was for the collection of a subsidy to make war on the aggressive Turks—an object of great alarm in central Europe, but not of much concern in Scotland. From causes like these it was obvious enough, how the archbishop found enemies at home ; but how he should have excited the wrath of the Court of Rome so as to bring himself to ruin, remained a mystery until the late publication of some records of the Vatican. The chroniclers tell us that the poor man was driven insane by persecution. But if we are to admit only a portion of a report made to Rome by a commissioner appointed to inquire into his conduct, he had made considerable advances towards insanity in the exercise of his new powers.

He had, according to this document, proclaimed himself Pope, elect of God and crowned by an angel, for the reformation of abuses. In this capacity he revoked the indulgences granted at Rome, and appointed legates and prothonotaries in various parts of the world. He committed acts of oppression on his brethren under the dictates of the same hallucination which followed him in the performance of his religious duties ; for it was charged against him that while under all manner of interdicts and injunctions he would perform mass, not only in order, but three times a-day. The document winds up with a general statement that the archbishop has become notorious for all manner of heresies, schisms, and crimes, in the pursuit of which he shows obstinate persistency.¹ His sudden elevation or some other cause must have turned the poor man's head.

On these charges sentence of deposition and degradation was passed against him. The proceedings at Rome must have been heartily backed in Scotland, since he was subjected to what no Roman sentence could have enforced

¹ "In hiis omnibus pertinacem obstinatum et incorrigibilem esse obdurare et persistere, &c., publice notatum."—Thenier *Vetera Monumenta*, 480. Reprinted in Preface to Robertson's *Concilia Scotiæ*, p. cxvi.

without proceedings in Scotland. What these were we only know by the result. Archbishop Graham ended his days as a prisoner in the Castle of Lochleven, and when he died he was buried in the Monastery of St Serf, on an island of that lake. From the peculiar practice already referred to, there is something extremely unsatisfactory in the account obtainable of ecclesiastical litigations and punishments at this period, in England as well as in Scotland. Of denunciations for political offences there is generally some record of parliamentary or other proceedings, showing that the thing has been done by a jury, or in some other shape, in the face of day ; but about the ecclesiastical proceedings, whether they end in burning, as with Reseby and Crawar, or in ruin and imprisonment, as in the present instance, all is done in mysterious silence.

England still left Scotland unmolested, and, indeed, made cordial advances towards a lasting peace. In the July of 1474 proposals were made for the espousal or betrothment of the Princess Cecilia of England to the Prince James of Scotland. They were, as the documents say, of too tender years to be themselves parties to the transaction, Prince James being two years old and the English princess three. But their union was made a political bargain between the Governments ; and distant as the avowed object of the treaty must be, yet it took a practical shape at once. It was agreed, on the part of England, that a dowry of twenty thousand English marks should go with the princess. The payment of this money in instalments began immediately. It was stipulated that two thousand marks yearly should be paid for three years ; after that the payment was to be at the rate of a thousand marks a-year until the twenty thousand should be paid up.¹ These payments, for which value might never be received, are exceptional in the transactions between England and Scotland, and have suggested the uncharitable supposition that they were a sort of black-mail or bribe to the Government of Scotland to hold back the borderers, and generally to restrain the country from attacks upon England.

¹ See the documents, *Fœdera*, xi. 815, 821, 824

Early in the reign of James III. there were preparations foreboding serious work in France; but as nothing came of them, they need only be briefly noticed. Louis XI. sent an ambassador to Scotland, whose personal history is interesting. Among the Scots who wandered into France during the hundred years' war was one who bore the name of Monypenny. His race prospered, and his descendant now came over as Louis XI.'s ambassador, with the name and title of Menipeni, Sieur de Concrecault. The cunning Louis seems to have chosen a man suited to his purpose. We find evidence that King James took steps for going over to France at the head of six thousand men, to reconcile the differences between Louis and the Duke of Burgundy—that is to say, to help Louis to crush his enemy. According to Comines, Louis had felt the value of his little band of Scots guards in this conflict, and he naturally wanted a large importation of the same valuable commodity. The matter went so far that the proportion to be borne by the Church of the expense of the expedition was adjusted. But the Estates interfered to stop it, pointing out to the king that he had enough to do at home, and commenting on the questionable dealing of King Louis as to the countship of Xaintongue, which was to have been made over to the crown of Scotland on his marriage with the daughter of James I.¹

In carrying their point, and keeping the king at home, the Estates, to all appearance, did little service to the country. Whatever might have been lost by his going on an expedition to France, little was gained by his remaining at home. If much of the future of Scotland depended on his capacity for government, the country's prospects were poor; and yet, as we shall see, he had tastes and aspirations which have been the most valuable gifts of public men dealing with different conditions. His domestic history was tragical as well as miserable; and though he was said to be of gentle nature, yet there is little doubt that he was the author of events which brought the scandal of bloody doings on his household. His two brothers, the

¹ Act. Parl., ii. 102, 104.

Duke of Albany and the Earl of Mar, are described as young men well fitted for popularity among a fighting people, while their brother was a recluse.¹ There are stories about artful people having imposed on the king, and im-bittered him against his two brothers by tricks of sorcery and divination. When we have minute details of such things, they are interesting; but the accounts of these practices on the king are of a very general kind, and teach nothing. We know only the fact that the king dealt with both his brothers as a man deals with his enemies. The younger, Mar, died suddenly—murdered, it was said—in Craigmillar Castle. Those who desired to vindicate the king's name said Mar had been bled to relieve him from fever, and that the bleeding, being insufficiently stanchd, had broken out while he was in a bath, and so killed him.

¹ The following very picturesque account of the characteristics of the three brothers is in the Chronicle ascribed to Lyndsay of Pittscottie :—

“ This prince had two brethers : the eldest, named Duik of Albanie and Earl of Merche, etc., who was verrie wyse and manlie, and loved nothing so weill as able men, and maid great coast and expences thair-upoun. For he was wonderous liberall in all thingis perteaning to his honour; and for his singular wisdome and manhood he was estemed in all countries aboune his brother, the Kingis Majestie; for he was so dowbted amongst the nobilitie of the realme, that they durst nevir rebell against his brother the king, so long as they war at one, for he was so hardie and wyse that they stood more aw of him nor of his brother. This Alexander was ane man of more stature, broad schoulered, well proportioned in all his members, and specialie in his face, when he pleased to schow himself to his unfreindis. But the king his brother was different far from his qualities, for he was ane man that loved solitude, and desired nevir to hear of warre, bot delighted more in musick and policie and building nor he did in the government of the realme. Moreover, he was more diligent in conqueising money nor the heartis of his subjectis, and delighted more in the playing of instrumentis nor in the defence of the borderis and administration of justice, quhilk was his wreck and ruine, as efter followis. Bot we will returne to the thrid brother (John), Earle of Marre, who was ane fair lustie man, of ane great and weill proportioned stature, weill faced, and comlie in all his behaviouris, who knew nothing bot nobilitie. He used meikle hunting and hawking, with other gentlemanlie exercise, and delighted also in interteaning of great and stout hors and meares, that thair offspring nicht florisch, so that he might be served thairwith in tyme of warres.”—P. 177, 178.

Albany was committed to the Castle of Edinburgh. He escaped, and fortified his own Castle of Dunbar, which was besieged and taken. In the mean time, however, he had left Scotland, and found his way to France. It is said that he went to get succour from King Louis—an extremely hopeless task ; unless, indeed, he could prove, which he certainly could not, that Louis would in some measure gain by an expedition to Scotland to fight for the Duke of Albany. It is said in the Chronicles that Albany plotted to drive his brother from the throne and take it for himself. His subsequent career tallies pretty well with such a charge, yet the tedious details of the process of forfeiture raised against him almost disprove it—at all events, show that no acts could be brought up to prove it. Albany was, of course, technically guilty of treason in resisting the king. Among the other charges in the statute of forfeiture passed against him was that while, as one of the two wardens of the marches, it was his duty to protect England from injury, he had encouraged rather than suppressed border raids, in which the subjects of King James's beloved brother the King of England had been slaughtered and plundered.¹ We may feel assured that charges such as these would not have been laid, had there been anything in the conduct of Albany to support a belief that he had plotted against his brother. He had gone to France, as we have seen, and did not appear to meet the charges against him. They were not pushed to their conclusion by a statute of forfeiture, but were continued by adjournment, and so kept hanging over him.

In 1483 they were resumed. During the interval, as we shall see, he had given good reason for being counted a traitor to his country by taking actual arms on the side of England. Yet the full extent of his iniquities was not known. King Edward held communication with him in France, and at last brought him to England. There a regular treaty passed between them. Its basis was the acknowledgment of the feudal superiority of the crown of England over Scotland. In virtue of this power, King

¹ Act. Parl., ii. 125-129.

Edward made over the crown of Scotland to Albany as King Alexander IV. The new king engaged to perform all necessary ceremonials of homage whenever he was put in possession. He bound himself and his heirs to follow England in peace and war, and to break up the old league with France. He was, if possible, to take the place of his nephew, and marry Lady Cecilia, the daughter of Edward; but he promises this only if he can "mak himself clear froe all other women, according to the laws of the Christian Church"—a process which he might or might not accomplish. He had already got clear of his wife, the daughter of the Earl of Orkney, by the usual method of divorce on the ground of propinquity; but he afterwards married in France Anne de La Tour, the daughter of the Count of Auvergne.¹

To rise in arms against the sovereign was a venial offence in that day. Since also the old dread of actual conquest had died out, it was no inexpiable offence to take aid from England. There cannot be a doubt, however, that such a transaction as this treaty would have exposed Albany to execration from end to end of Lowland Scotland. It was a deed that dared not be revealed. To know that it was unknown to the public in its day, yet that some must have been privy to it, and others have suspected it, gives some clue to the hesitating and confused character of the events of the period.

King Edward had now in his service two eminent deserters from Scotland—the one Albany, the brother of the King of Scots, and a competitor for the throne; the other that great Douglas with whose career in Scotland we have already dealt. To stimulate hostility on the other side, King Louis of France sent an ambassador to Scotland. It seems to have been his policy to choose persons of Scots connection for this duty. He now sent over a Scotsman named Ireland, a doctor of the Sorbonne, who had, like so many of his countrymen at that time, sought and found his fortune in France. He was a man of ac-

¹ *Fœdera*, xii. 156.

complishments, and gained much personal influence over the king.

The position of England and Scotland was now that of two nations bullying each other from each centre of government, while there were casual inroads and contests on the border. The case for Scotland is curiously set forth in certain Acts and proceedings of the Parliament, which are more like documents arising out of an angry diplomatic controversy than the acts of a legislative body. The king and the three Estates being gathered and assembled in Parliament, profess to have understanding and knowledge that instant war is threatened by England, contrary to the mind and intention of their own king, who, so far from seeking a quarrel, had sent a herald and pursuivant with a pacific despatch offering redress for any wrongs done on the part of Scotland contrary to the truce, on the condition of like reparation being made by England. The ambassador, however, was neither received nor for a time allowed to return, nor was any notice taken of the communication; and here the Estates vent their indignation by styling King Edward "The Riever Edward, calling himself King of England." Then, when to avenge this "lichtlying" of their sovereign lord, as the Estates term it, a great army was raised to pass to the invasion of England, a nuncio appeared, who required the two nations to stop their quarrel, presenting a Papal requisition to all Christian sovereigns to be at peace with each other, and unite against their common enemy the Turk. In obedience to this injunction, the King of Scots "scaled" or dispersed his force, trusting that the Papal injunction would be observed on the other side; but it was not observed, and, on the contrary, there was "incontinent great burnings, hereschip, and destruction done upon our said sovereign lord, his realm, and lieges."¹ It is therefore thought meet that, for the resisting and againstanding of the riever Edward, there should be a great muster of the whole armed force of the country. The usual method of summoning the array being imperfect, special messengers

¹ Acta, ii. 138.

were appointed, which were to be "authentic persons and well-horsed men," "stuffed with money to make their expenses," who should summon, in the first place, the able-bodied men of the most distant regions before those near at hand were called, so that the rising should be simultaneous.¹

There was thus assembled on the Boroughmuir, on the south side of Edinburgh, one of the largest armies ever gathered in Scotland. The army, with the king at its head, marched southward through the Lammermuir Hills towards the border. It had reached the small town of Lauder, on a tributary of the Tweed, when its progress was interrupted by an incident which requires explanation.

King James III., among other defects of character, stands charged in history with a propensity for low company. He preferred, it is said, the society of artists and musicians to that of the nobility of his realm, and not only made them the companions of his leisure, but his advisers and agents in matters of state. The day had not come—if it ever is to come—when statesmen are chosen from the class so distinguished. But the disgust and wrath with which the chroniclers speak of the predilections of the king obscure their story, and leave us at a loss to estimate the class of persons promoted by him—whether any of them really was eminent in his own special walk, or all were mere charlatans who had the art of amusing and gaining favour from a weak man. One of his favourites, named Rogers, was a musician, but whether he was some humble performer, or a great composer to whom we may attribute the foundation of the national music of Scotland, there are no means of determining. Chief among all in the king's favour, and the hatred of the aristocracy, was Cochrane, called a mason; and here comes a like puzzle, whether he was a mere mechanic or the artist to whom we may attribute the revival of architecture in Scotland. When we deal with the question from the other side, and, looking to any one of the noble buildings which then began to adorn Scotland, ask who was its designer and

¹ Acts, ii. 138.

architect, history is equally silent. We are told that the king took great delight in the new buildings of Stirling Castle. Whoever looks at the wild, grotesque, vehement statuary, and the exuberance of ornament in the palace buildings of the castle, must pronounce them the work of an original and bold mind, and would fain know whether the unfortunate favourite of the equally unfortunate king had the creative intellect that fashioned such a work.

Very different were the points of keenest interest about Cochrane. He was charged with bringing to pass the death of Mar and the banishment of Albany. The obscure stories about the bringing of demoniacal influences to bear upon the king are also brought home to the mason raised above his degree. There was another and far more palpable source of clamour against him, in that, having a patent or contract for coining money, he caused commercial mischief and distress by debasing the coinage. With this heavy score of accusations standing against him, he was treated at court with an exclusive favour which the highest merit could not justify. He acquired vast wealth, and part of it came from a source that made it the object of offensive remark—the forfeited estates of the king's dead brother, the Earl of Mar. Cochrane, indeed, is said to have got the title itself, and is called Earl of Mar in the chronicles, though peerage lawyers question if he was ever formally invested with the earldom.¹ According to the chroniclers, he added to his offences by the magnificence of his establishment and apparel, and the number and insolence of his dependants; but these are attributes with which the upstart raised by royal favour is ever attended. He was reported to be a man of commanding presence, and bold withal, who, to the haughty nobility who looked on him with menacing eyes, rendered scorn for scorn.²

¹ Douglas, by Wood, *voce* Mar.

² There is this picturesque account of the favourite in the *Pitscottie chronicle* :—

“In this meane tyme this Cochrane grew so familiar with the king that nothing was done be him, and all men that would have had thair bussines expedid dressed thameselffis to this Cochrane, and maid him

Cochrane was with the king and his army at Lauder. A new mark of the royal confidence had just been conferred on him. A sort of train of artillery was dragged along with the army, and Cochrane was made the convoyer or manager of the guns. Here again we are puzzled; was he a vain incompetent person, taking a post for which he was unfit, or was it that the king, with a knowledge beyond his day, saw that the management of artillery required something more than the mere power of command, and found in a skilful architect the nearest kind of person to an officer of engineers? However this may have been, certain of the leaders of the army, meeting in wrathful conclave, resolved to make a clearing off among the favourites, and take the king into their hands. According to one of the chronicles, the Lord Gray, in reference to the dealing with the king, cited the fable of the

forspeaker for thame, and gave him large money, quhairthrow he became so rich and potent that no man might stryve with him; and he, knowing the kingis conditione, that he loved him better that gave him nor he that tuik from him, for the quhilk caus the said Cochrane gave the king large sowmes of money, quhairthrow he obtained the earledome of Marre from the king, and was possest in the same; and evir clame hier and hier till he thought he had no pier of ane subject in Scotland, and speciallie in the kingis favouris; for nothing was concludit in court nor counsall but by the adwyse of this Cochrane; nather durst any man oppose against his proceedings, war they guid or evill; for, if they so did, he wold gar punisch thame sickerlie, for he had sick credit of the king that he gave him leive to stryk cunzie of his awin, as if he had beine ane prince; and when any would refuse the said cunzie, quhilk was called ane Cochrane plack, and would say to him that it would be cryed down, he would answeir, that he should be hanged that day that his money was cryed down, quhilk prophecie cam to pas heirefter. For this Cochrane had sick authoritie of court and credence of the king, that no man gatt audience of the king bot be his moyane, or gave him geare, quhilk, if they did, thair materis and adoes went richt, wer thei just or unjust, or against the commounweill, all was alyk to him, so that he might have his awin profeit, for he abused this noble prince so, that non was received in court nor in offices bot such as would obey him and be of his factioun. Sua be thir meanes the wyse lordis counsaillis war refused, and thair sones absent from the kingis service; for no man durst cum to serve the king bot he that was a flatterer with Cochrane, and counted all thingis well done that he counsailld the king to doe." --P. 184, 185.

mice who proposed to hang a bell from the neck of the cat that her whereabouts might always be known, but were much perplexed when they came to the practical question, Which of them should tie on the bell? At this point, Archibald Douglas, Earl of Angus, broke in with a "Heed not, I'll bell the cat," whence ever afterwards he held the nickname of Archibald Bell-the-Cat. They were assembled in the church, when an imperious knock was heard at the door, it was Cochrane with a message from the king. He is described as then attired in a riding doublet of black velvet, "with ane great chain of gold about his neck to the value of five hundred crowns, and ane fair blowing-horn in ane reckle (or chain) of gold, borne and tipped with fine gold at both ends, and ane precious stone called ane buriall (beryl) hanging at the ends thair of. This Cochrane had his howmont (helmet) borne befor him, all overgilt with gold, and swa was all the rest of his harness; and his pavilion was of fine canvas of silk, and the cords thair of fyne twyned silk."¹ We are told on the same authority how, on his entry, Angus pulled the golden chain from his neck, saying a rope would suit him better, while another Douglas laid hold on the horn. "My lords, is it mockery or earnest?" said the astonished man. He was told it was earnest, and he was to get the reward of his deservings in time bygone—and so the rest of his fellows. We are then told that they detained him quietly, "quhill they caused certain armed men pass to the kingis pavilion, and two or thrie wyse men with them, and gave the kyng fair and pleasant wordis till they had laid handis on all servandis, and tuik them, and hanged them over the Bridge of Lothar befor the kingis eyes."² Among those so hanged are enumerated not only Cochrane and Rogers, but Torphichen, an eminent swordsman, and two whose professions leave no question as to their humble origin—James Hommel, a *vestiarius* or tailor, and a certain Leonard, very expert in the *cerdonic* or shoemaking art.³ The king was able, by

¹ Pitcottie, 190.

² *Ibid.*, 192.

³ Ferrarius, *Ap to Boece*, 395.

his entreaties, to save but one favourite a youth of seven teen named Ramsay.

Satisfied with the accomplishment of this business, the leaders abandoned the march southward, and carried the king to Edinburgh, where he was lodged with all honour and royal distinction in the castle, but with such arrangements for his protection and defence that he knew himself to be a prisoner.¹

As the result of some undercurrent of intrigues which it would be useless to guess at, Albany came to Edinburgh, and desired that his brother, the king, might be freed from restraint. He was accompanied by the English Duke of Gloucester, whose interference, we are told, was received with jealousy, the chancellor saying to Albany—"My lord, we will grant you your desires; but as to that man who is with you, we know him not, nor yet will we grant nothing to his desire."² The two brothers left the castle in amity—riding, as we are told, both on one horse—and Albany ruled for a short time. Whether it was, however, that his plot against the independence of Scotland was suspected, his going to England and seeking assistance there were brought up against him as treason, and he thought it well to leave Scotland. He left a justification of all evil suspicions by putting his Castle of Dunbar into English hands. Afterwards, along with the exiled Douglas, he attempted a

¹ "After this, ane lang tyme, the king remained in the Castle of Edinburghe as captive, and had certaine lordis in companie with him that took hold on him and kepted him in the said castle, and served him and honoured him as ane prince aucht to be in all thingis; for he was not put thair as ane prisoner, but for the mainteining of the commonweill, gave him leive to use all his directiones, giftis, and casualities at his pleasure, for nothing was derogate from him be reason of his auctoritie; and all lettres war given and proclamatiounes maid in his name, lyk as they war befor at his inputting, nor no regent nor governour was chosin at that tyme, bot everie lord within his awin boundis was sworne to minister justice, and to punisch thurst and claughter within thameselfis, or elis to bring the doeris of the same to the kingis justice at Edinburgh, and thair to be punisched or answer for the crimes thameselfis, and to be holden doeris of the same. Thus thair was peace an rest in the countrie the space of thrie quarteris of an yeir."—Pitscottie, i. 193.

² Pitscottie, 199.

raid into Scotland of an unaccountable character, for they had not five hundred men at their command: They were defeated. Albany escaped on a fleet horse, and afterwards went to France: old Douglas was taken, and the warrior prince was allowed his life on agreeing to spend its remaining days in the Monastery of Lindores. In this confusion Scotland suffered a loss. Berwick was retaken by the English army, which the host collected on the Boroughmuir and dispersed at Lauder were to meet. The governor made what defence he could, but Albany held back and did not help him with a force: he had promised this, and more, to England. It was announced from England that the marriage of Edward's daughter with the Prince of Scotland was no longer to be, though the curious bargain with Albany which superseded the arrangement was not a thing to be told. It is one of the incidents difficult to account for, that Scotland agreed to pay back to England the instalments of the princess's dowry paid up by England. The money was advanced by the corporation of Edinburgh, which received for this service certain privileges, and among them one which is still so far retained as to make the city exceptional among other municipal corporations in Scotland. It was constituted a county or sheriffdom, its magistrates having the jurisdiction of a sheriff; and in later times, when commissions of the peace were extended to Scotland, the city of Edinburgh has had a separate commission as a county in itself.

While Scotland was in poor condition for defence, and England was still menacing, there came a revolution which gave Scotland breathing-time. Richard III. became king in 1483, and during his short reign he had too much in hand at home to trouble his neighbours. His successor, Henry VII., had similar motives for preserving peace. The truces were renewed, with the condition that the recapture of Dunbar Castle by Scotland should not be deemed an act of war—a condition which proved the earnestness of England's wish for peace, since it made allowance for an enterprise too tempting to be abandoned. Royal alliances between the two countries had now become in a manner a traditional policy. More than one project

of the kind was broken by the change of dynasty in England, and others negotiated with Henry VII. were interrupted by the tragedy which brought a change of kings to Scotland.

A powerful confederacy was organised against the king, which, after menaces and negotiations, assembled a large army. There has been much dispute about the grounds of quarrel which excited them to resistance. A declaration afterwards made by the Estates puts it clearly and briefly. It was because he surrounded himself with false counselors, "whilks counsellet and assistet to him in the inbringing of Englishmen, and to the perpetual subjection of the realm."¹ This was in Scotland the inexpiable offence. That the king was thus in private treaty with England for aid to take vengeance on his enemies, and strengthen his hands, is believed by some, who have well considered the whole affair, to lack evidence, and leave it open to maintain that the confederates were influenced by other and baser motives, and that they threw out this charge because it was the most odious that could be raised, and would serve them as a full justification. There is little more in history to support the charge than this, that Ramsay, the one favourite spared at the hanging on Lauder Bridge, continued high in the king's favour—was created Lord of Bothwell, and was sent on three embassies to England. One of the earliest proceedings of James IV.'s Parliament was an Act of forfeiture against him on the charge of having, along with the Earl of Buchan and others, treated with the King of England for an attempt on the liberties of Scotland, marching thither in person with an army.²

Significance is given to the charge by the subsequent history of the men, which showed them—especially Ramsay—to be well suited for such a service. He was afterwards pardoned, and returned; yet, unknown to his

¹ Act. Parl., ii. 216.

² "Pro proditoris communicatione et laboratione cum præfato Rege Angliæ pro importatione certorum Anglicorum ad destructionem regni et ligiorum Scociæ, et pro instigatione et causacione dicti Regis Angliæ in propria persona cum suis armis et copia virorum in regnum Scociæ, advenisse."—Act Parl., ii. 201

countrymen, he acted as a spy and political agent to Henry VII., and, in the year 1491, there is an indenture in which Ramsay and Buchan, on the one part, agree to give up the King of Scots and his brother into the hands of the King of England, who, on his part, agrees to advance to them the sum of £266, 13s. 4d.¹ Such is the state of the case, and it is open to believe in the charge made against the king and his agent by the Estates, or to hold, on the other hand, that the confederates were acting on personal motives, founded on the possibility of being called to an account for the affair of Lauder Bridge and some others. At all events, the shape given to their insurrection cleared them of suspicion that they had any other motive than an objection to be ruled by James III. Their avowed and real object was to dethrone him, and make his eldest son, the heir to the throne, king in his stead. The son was but sixteen years old, so that he can hardly be supposed to have projected the enterprise and seduced the chief men in Scotland to serve his purpose ;

¹ *Foedera*, xii 441. This Earl of Buchan was a son of the widow of James I by her second husband, "The Black Knight of Lorn." He was popular in his day, and known by the characteristic of "Hearty James." The indenture does not carry his signature, and there is a natural disposition to consider that he should not be implicated in a base transaction on the testimony of a thoroughly treacherous man like Ramsay. Henry VII., however, was a good judge in such matters, and knew what he was about. Five years afterwards we find him receiving a thoroughly business-like report from Ramsay, in which he speaks of his joint endeavours with Buchan, either under this indenture or some later arrangement, thus "Please your grace, anent the matter that Master Wyot laid to me, I have been busy about it, and my Lord of Buchan takes upon him the fulfilling of it, if it be possible, and thinks best now in this lang night within his tent to enterprise the matter; for he has na watch but the king's appointed to be about him, and they have ordained the Englishmen and strangers to be at another quarter lodget but a few about him. I present my lord your letter, of the whilk he was full glad and well contentis."—*Ellis's Original Letters*, 1st Series, i. 22. This was written while the king was on his expedition with Perkin Warbeck, to be afterwards accounted for; and it seems to say that there was a good opportunity, for although in open camp, he had nothing but his ordinary appointed guard about him, while the Englishmen and strangers who might interfere were lodged at a distance.

nor, from the history of the beginning of his reign, can we infer that any scheming conspirator proposed to get the government into his own hands, by setting on the throne a boy over whom he had established a mastery. Doubtless in the confederacy there were several leaders stimulated by personal wrong or disappointment. For instance, the Homes and Hepburns on the border were angry that the revenues of the Priory of Coldingham, which they sought to divide between them, should be devoted to the support of the king's favourite choir in the Chapel Royal of Stirling. But the confederacy, though it might be helped from such quarrels, rested on broader ground.

While the confederation was adjusting itself, there were meetings of Parliament, in which much business was done. This shows us that the machinery of government was in working order, and went on though a king might be helpless, and the chief men of the country preparing for civil war. Some statutes were passed at the special desire of the Commissioners of the Burghs, and for what they deemed to be the furtherance of their commercial prosperity. Some of these were the re-enactment of old laws which had fallen into disuse, and among the others was one appointing a burghal legation or embassy to treat with the Imperial Court against the practice of granting letters of marque, which gave a sanction to the piracy which at that time infested every sea where merchant vessels sailed. One part of their business seems an odd one to have occupied men, many of whom had done acts bringing them thoroughly within even so much treason law as there was in Scotland, and who were preparing for more. The king's hands were tied up for seven years against granting remission or pardon to criminals, and that because of the trouble brought upon the land "through treason, slaughter, rief, burning, theft, and open hership, through default of sharp execution of justice, and over common granting of grace and remission to trespassours."¹

It was seen that the confederate barons were assembling round them a far larger number of armed men than it

¹ Acts, ii. 176 *et seq.*

was usual for them, as feudal chiefs, to keep in attendance on themselves. This gathering being in the southern part of the country, the king took boat in the Firth of Forth, and went into the northern counties, which were faithful to him. There he raised a considerable force. The confederates at the same time massed their followers into an army, and all seemed leading to a war between north and south. The king marched to Stirling. Shaw, the governor of the castle, was with the confederates. He kept the prince, of whom he was the instructor or guardian, at their disposal, and refused to admit the king within the castle. The confederate army approaching, the prince joined them. It is said that they raised the cry of the prince being in danger from his unnatural father, and pointed to the fate of Mar, the king's brother. On each side the royal banner was displayed.

The armies approached each other at a small stream called Sauchie Burn, between Bannockburn and Stirling. There was some fighting, but hardly a battle. The king, though he had a large force in hand, took fright or lost heart. He was not warlike, and indeed appears to have been reputed as a coward,—the very worst sort of reputation that a King of Scots could bear. It was believed at the time that, among the satanic influences worked by Cochrane, there was a prophecy that he should die by the hand of his nearest of kin—that it was to defeat this that he had put to death his brother Mar; but now in his son, to whom he never had applied the prophecy, he saw its fulfilment coming. However it was, he fled, mounted on a spirited grey horse, which had been given to him that day by the Lord Lyndsay. He was unfit to manage the horse—"evil sitten," as a chronicler calls it—and was thrown and afterwards killed. The method of his death, according to the chronicler, was as follows. He had ridden across the Bannock Burn, when a woman filling a pitcher at a spring was startled by the sudden apparition of a horseman splendidly armed and attired galloping past, and so dropped her pitcher. This made the horse shy and throw the king. The woman was the wife of a miller living hard by, and the fallen man was carried into

their house, and laid on their humble bed. He told them his rank, saying he desired to have a priest to shrive him; and the miller's wife, in her excitement at events so strange, rushed out, frantically calling for a priest to attend upon the king. A man passing by said he was a priest, and, stepping to the bed, stooped down as if to do the duty of his office. Bending over the king, he stabbed him again and again, until certain that he was dead, and then vanished, so that no trace of him could ever be found. This wretched business came to pass in a place crowded with heroic memories. The king fled over the field of Bannockburn, and through his flight could look upon that in which Wallace had conquered Warrene.¹

¹ The specialties of the battle of Sauchieburn and the king's death are preserved in local tradition with a minuteness denied to events of more illustrious character. A small old house, with crow-stepped gables, called Beaton's Mill, on the east side of the Bannock Burn, is believed to be the house in which the king was stabbed. It is no longer a mill, but it has evidently been one, as the course which brought the water down to it from a mill-race leading out of the Bannock is still very distinct; and, to complete the adjuncts, there is, on the opposite side of the road leading past the old house, a fine spring of water, at which the miller's wife is reputed to have been filling her pitcher when the horseman startled her

CHAPTER XXX

JAMES IV

CONDITION OF THE COUNTRY—DEALING WITH THE INSURGENTS—
TREATY OF DOUGLAS WITH ENGLAND—QUARRELS OF THE ESTATES
WITH THE PAPAL COURT—POLICY OF A DOUBLE HEAD TO THE
NATIONAL CHURCH—ARCHBISHOPRIC OF GLASGOW CONSTITUTED—
HISTORY OF PERKIN WARBECK AND HIS CONNECTION WITH SCOT-
LAND—QUARRREL WITH ENGLAND—SCOTS COURTIER'S SUBMI-
NISHED BY ENGLAND—GROWING INFLUENCE OF SCOTLAND IN CON-
TINENTAL POLITICS—DEALINGS WITH SPAIN—THE SPANISH AM-
BASSADOR AND HIS ACCOUNT OF JAMES IV.—MARRIAGE WITH
MARGARET, DAUGHTER OF HENRY VII.—CONFLICT WITH THE HIGH-
LANDS—THEIR CONDITION—THE SCOTS NAVY—SEA-FIGHTS—IN-
FLUENCE OF FRANCE—WAR WITH ENGLAND—INVASION—BATTLE
OF FLODDEN—DEATH OF THE KING—GREAT SLAUGHTER AMONG
THE CHIEF FAMILIES—INFLUENCE OF THE EVENT AS A NATIONAL
CALAMITY.

It does not appear to have been the object of the con-
federates to put the king to death. That he should have
been slain, however, "of mischance," as the parliamentary
proceedings expressed it, no doubt freed them from em-
barrassment.¹ The Estates issued the vindication of the

¹ There seems to have been at first considerable difficulty in ascer-
taining what had become of him. In the Pitscottie Chronicle there
is the following curious story—"James the Thrid, unhappilie slaine
in this maner, as is befor rehearsit, King James the Feird, and all the
rest of the conspiratouris that came againes the king, passed to Lith-
gow, and remained thair quill they gott word whidder the king was
slaine or not. In this meane tyme thair came ane man to thame to
Linthgow, schowing thame that thair was two schipes of Captane
JWoodes travisching up and down the Firth, of the quilkis schipes
thair was on of thame called the Flour, and the other the Yellow

rising, which has been already alluded to, and attributed the death of the King to the conduct of those who had gathered about him in hostile array against the prince and his followers. A good deal of parliamentary business was

Carvell. 'Thir schipes had sent thair cock boattis to land, and receaved in many hurt men within thame, of quhom they judged the king to be one. At thir tydings the whole conspiratouris tuik conjectur of the same thing, sieing that Captane Wood was principall servant to the king att that tyme, and having waiges of him, and he and his schipis had beine oftymes furnished abefoir be the king, to pas quhair he pleased; thairfor they beleived that he schould have awaited upoun the king in the feild, and have brought him to the schipis. They being certified of this matter, they raised thair armie and cam to Leith, and remained two dayes, and in the meane tyme send messengeris to Captane Wood, desiring to knaw if the king was in the schipes or noucht: who said he was not thair, and bad thame search and seik his schipes at thair pleasures, if they beleived not him. Upoun this answeir the messenger depairted back, schowing the captane's answeir; off the quilk the prince and the lordis war not content, and send messengeris back againe to Captane Wood, desiring him to cum to the counsall that they might inquire of him how the matter stood. But he, on the other part, knowing that they had murdered his maister in maner foresaid, tuik suspitione of thame, that without pledges he would not cum in thair handis, that he might returne without harm or skaitlie to his schipis. This also the messenger reported unto the prince and the lordis, quho incontinent caused two lordis pas in pledges for the said Captane quill he schould be delyvered againe to his schipes; to witt, the Lord Seatoun and the Lord Fleming; sua the lordis war receaved into the schipes, and Captane Wood cam and presentit himself befor the lordis and prince, in the toun of Leith. Bot als soone as the prince saw the captane himselve befor him, beleived suirly it had beine his father, and inquired of him, 'Sir, ar yea my father?' who answered, with tears falling from his eyes, 'Sir, I am not your father, bot I was a servand to your father, and salbe to the auctoritie quhill I die, and ane enemye to thame that was the occasion of his dounputting.' The lordis inquired of Captane Wood if he knew of the king, or quhair he was? He answered, He knew nothing of the king, nor quhair he was. Then they speired quhat they war that cam out of the feild and passed in his schipes? He answered, 'It was I and my brother, quho war readie to have waired our lyves with the king in his defence.' Then they said, 'He is not in your schipes?' quho answered againe, 'He is not in my schipes, bot would to God he war in my schipes safly, I should defend him and keip him skeithles fra all the treasonable creaturis who hes murdered him, for I think to sie the day when they salbe hanged and drawin for thair demeritis.'

'Then the lordis, sieing nothing in Captane Wood bot disphyght full answeiris and proud speakingis, they war not content thairwith;

immediately transacted, and on the whole the triumphal party were moderate in dealing with those who had taken arms against "the king that now is." The chief changes were merely official. The high offices of state were transferred to the conquering party. By a special Act, those of the enemy who held hereditary offices—"that is to say, wardens, justices, sheriffs, stewards, butlers, lieutenants"—were to be suspended from office for three years, and persons were appointed from among the leaders of the well affected party to supersede them on that period. There were, however, no considerable changes of property. Ramsay, Lord Bothwell, was the chief victim, in the shape already referred to. His companion, Buchan, confessed himself guilty and was spared. A general amnesty was passed, by which "the king's highness, of his grace, moved by pity, remits all forwaite generally and specially all the burghesses, merchants, and unlanded men" who appeared in arms against him. There were provisions for the restitution of seizures, and for enabling the heirs of persons slain to enter on their estates, although it could not be truly found by the proper inquest that the deceased had died at the king's peace.¹ There was a rising against

vitt they durst not put hand on him to toc him any keth, because of the lordis that war pledges for him; nor if they had done him any skaith, they wold incontinent have hanged the lordis that war pledges for him, quhilk, as it was, escaped narrowlie be ans of the long stay of the said captane. The lordis hasted awy the captane to his schipes, and inquired no mroe tydings of him. This being done, the lordis pledges war delvered and tane on land againe who war richt fled, and schew the prince and the lordis, if they had holdin Captane Wood any longer they had been both hanged. Att this time the prince and the lordis war verrie commoved, and desired certane skipperis in Leith to pas furth and tak the said captane and bring him in. To this effect they called all the skipperis and marriners in Leith befor the counsall, to se quhilk of thame wold tak in hand to pas upoun the said captane, and they schould be furnisched with men, artillarie, and virtualis upoun the prince's expensis, bot they all refusid. And on Captane Bartone answered and said, that thair was not ten schipes in Scotland that wold give Captane Woodes twa schipes combat; for he was weill practiced in warre, and had sick artilyarie and men that it was hard dealing with him either be sea or land."—Pittscottie, 224 228

¹ Scots Acts, ii 107, &c

the new power in the west, under Lennox; in the north the Lord Forbes, taking example of Mark Antony, professed to display as his banner the bloody shirt of the murdered king,—but all was put down ere it had done so much as even to shake the new Government.

The transactions of the time enable us to see that the aristocratic element prevailed among the confederates, the democratic on the side of the slain king. Three years after his death it seems to have occurred that in what had been done concerning it something was wanting to satisfy public feeling. In 1491 the Estates express themselves anxious about “the eschewing and ceasing of the heavy murmur and voice of the people, of the death and slaughter of umwhile our sovereign lord’s father and progenitor, whom God assoyle, King James III., that the person or persons that put violent hands on his person and slew him are not punished.” A reward of ‘a hundred merks’ worth of land in fee and heritage is offered to any one who shall reveal the perpetrators. There is a curious caution in the drawing of this Act lest it might be construed against those who were fighting against the king. On every reference to the murder, and there are several, the words “committers of the deed with their hands” are used to express the persons sought after. It is observable that the tenor of this Act contradicts the chronicles, by the assumption that more than one person was concerned in the actual murder.

King Henry VII. was a pretty safe neighbour at that period. Though he reigned till the natural end of his days and founded a dynasty, few reigns have been more precarious and uneasy than his was at its beginning. Nothing but an extremely wary policy and a reliance upon his own sagacity could have saved him. He was, as Bacon says, inscrutable; and archæologists are continually turning up traces of his political movements which were entirely unknown to his contemporaries, who believed themselves masters of the political conditions of the day. Some of his diplomacy is so tortuous, that when we have the facts of it fully revealed it is yet difficult to understand the motive. We have seen already how he agreed with Ramsay,

the forfeited Lord Bothwell, and with the Earl of Buchan, and others, for the seizure of the young King of Scots. The agreement stands alone among the miscellaneous records preserved in England, we know not what preceded or what followed it or even whether there was any serious intention to give effect to it. Dated in the same year, 1491, there exists evidence of a treaty between Henry and Archibald Earl of Angus—old Ball the Cat—the head of the house of Douglas. This document is imperfect in its most critical passages, but the tenor of it appears to be that the earl shall do his utmost to prevent the King of Scots from attacking England. If in the case of war Angus is unable to hold his own in Scotland he is to make over the Castle of Hermitage to Henry and receive an equivalent in England. It is not fully expressed in the remnants of the treaty, but it is to be inferred from the tenor of the transaction, that Angus was to side with England.¹ All the while the public diplomacy of Henry's Government bore marks of strong attachment to "our cousin of Scotland," and an anxiety to preserve peace by pressing the renewal of the truces.² This was long the uninterrupted tone of the English state papers, and in the summer of 1493 we find that Henry empowered ambassadors to treat for a lasting peace during the life of both kings, and for the marriage of the granddaughter of his uncle the Duke of Somerset to King James. We do not hear how this was received, the treaties actually concluded do not mention it.³ It was Henry's policy to root his power in royal alliances, and he showed all along a strong anxiety thus to gain the King of Scots.

In this reign a discussion with the Papal Court, which

¹ In Ayloffe's Calendars this treaty is cited as, 'Articles agreed upon between Sir John Cheney and Sir Thomas Tyler Knights, for King Henry VII and Archibald Douglas Earl of Angus and George, his son, offensive and defensive' (p. 313). In Mr Gardner's 'Letters and Papers illustrative of the Reigns of Richard III and Henry VII' (i. 385), everything that archaeological skill can do has been done to bring out the tenor of this treaty from two mutilated records.

² See Foedera, xii. 465, 473, 495.

³ Ibid., 529, 535.

had lasted for some time, appears to have thickened, if we may judge from the angry statutes passed over and over again by the Estates. In these, heavy denunciations are laid upon those ecclesiastics who go to Rome to purchase benefices, as it is called—that is, who back the pretensions of the Papal Court to distribute all ecclesiastical patronage, by obtaining presentations there, and coming over to claim, through the influence of the Papal Court and of those clergy who support its prerogative, the rank and revenues belonging to the presentations. It was provided that the abbeys or benefices not in their original constitution in the gift of the Court of Rome should be bestowed, as was customary, by election or other form according to their constitution; and the doom of treason was laid against those who endeavoured to take these, or the rights of patronage enjoyed by the sovereign, to the Court of Rome. The practice so denounced, and also that of increasing the taxations on benefices and making revelations about the avail or value of the benefices, and so inducing the Papal Court to enlarge its claims on them, was said to cause “unestimable damage and skathe, considering the innumerable riches that is had forth of the realm therethrough.”¹ Those ecclesiastics, indeed, who should give the Papal Court a hint to make taxations on the ecclesiastical revenues exceeding the old rate were liable to the forfeiture of their benefices.²

The practice of taking litigations to the Papal Court was also denounced, and all the litigants who had pleas there were ordered to bring home with them “their rights, bulls, writs, and muniments,” that the questions at issue might be settled by the courts of law.³ These and other like ecclesiastical difficulties seem to have been chiefly due to Schivas, Archbishop of St Andrews, who had too much of the Hildebrand and the Becket in his blood to co-operate harmoniously with the civil power. He was the leader of those who persecuted Graham for the erection of the archbishopric which he himself now enjoyed; but he was not on that account, negligent of its prerogatives, or of the

¹ Acts, ii. 209, 232.

² Ibid., 323.

³ Ibid.

legatine authority with which he was invested. The precedent of England showed that there were advantages in a double primacy, as creating division and rivalry in the supreme ecclesiastical power. It was resolved, if possible, to obtain a similar check in Scotland; and the Papal Court was besieged with message after message requesting the pallium for the Bishop of Glasgow, the cathedral of which, as King James says in one of his almost angry remonstrances with the Pope, "surpasses the other cathedral churches of my realm by its structure, its learned men, its foundation, its ornaments, and other very noble prerogatives." The king requests the Pope not to heed the remonstrances or machinations of the Archbishop of St Andrews, seeing that the policy of erecting a second archiepiscopate was solemnly adopted after due deliberation by the three Estates. This is in 1490; and next year the king writes to say, that if the reasonable request of his Government be not granted, he will consider that he is despised and scorned, and entreated as so zealous a supporter of the Church ought not to be. At length, on the 9th of January 1492, it was intimated that his Holiness had erected the church of Glasgow to archiepiscopal dignity, with carrying of the cross and the other metropolitan insignia, assigning to it the suffragan dioceses of Dunkeld, Dunblane, Whithorn, and Lismore.¹

The archiepiscopal rivalry thus established had its bad as well as its beneficial results. The two archbishops had a clerical war with each other, so bitter as to disturb the peace of the whole land. They naturally carried their disputes to Rome, and with it money for the contest. This of course tended to aggrandise the influence of the Papal Court in Scotland; and at last, in 1493, the Estates interposed with an angry statute, directed to put both the quarrelsome prelates to silence without entering into questions of right or wrong on either side. The king was to intimate the matter to the Court of Rome, as he and the Estates should adjust, and the parties were in the mean time "to cease and not to labour against the thing that shall be seen profitable to the realm," certifying them that if they

¹ Burns's Calendar of State Papers in Venice, 204-210

disobey the injunction of the Estates, "his Highness will command and charge his lieges within this realm, that nane of them make finance, nor pay to them farms, rents, nor males for the sustentation of the said pleas, and bearing the money out of the realm."¹

¹ Act. Parl., ii. 232. An actual disturbance arising out of these disputes gave Knox an opportunity of describing it thoroughly and heartily in his own way. Cardinal Beaton, Archbishop of St Andrews, went to Glasgow with his cross and all his pomp—for what purpose we are not told. His train, and that of Archbishop Dunbar's of Glasgow, had a competition for precedence, which, according to Knox, took the shape that follows:—

"The Cardinall was knowin proude; and Dumbare, Archibischope of Glasgw, was knowin a glorious foole; and yitt, becaus sometymes he was called the kingis maister, he was Chancelour of Scotland. The Cardinall cumis evin this same year, in the end of harvest befoir, to Glasgw; upoun what purpose we omitt. But whill thei remane together, the one in the toun, the other in the castell, questioun ryse for bearing of thare croces. The Cardinall alledged, by reassoun of his cardinallschip and, that he was *Legatus Natus*, and Primat within Scotland, in the kingdom of Antichrist, that he should have the pre-eminence, and that his croce should not onelye go befoir, bot that also it should onelye be borne wharesoever he was. Good Gakstoun Glakstour, the foresaid Archbishop, lacked on reassonis, as he thought, for maintenance of his glorie; he was ane Archbischope in his awin diosey, and in his awin cathedrall seat and church, and tharefor awght to give place to no man: the power of the Cardinall was but begged from Rome, and appertained but to his awin persone, and nott to his bishoprik; for it mycht be, that his successour should nott be cardinall. But his dignitie was annexed with his office, and did apperteane to all that ever should be Bischoppis of Glasgw. Howsoever these doubtis war resolved by the doctouris of divinitie of boith the prelatteis; yitt the decisoun was as ye shall hear. Cuming furth (or going in, all is one) at the qweir door of Glasgw kirk, begynnes stryving for state betuix the two croce beraris, so that from glowmyng thei cum to schoudering; frome schoudering thei go to buffetis, and from dry blowes, by neffis and neffelling; and then for cheriteis saik, thei crye, *Dispersit, dedit pauperibus*, and assayis quhilk of the croces war fynast metall, which staf was strongest, and which berr could best defend his maisteris pre-eminence; and that thare should be no superioritie in that behalf, to the ground gois boyth the croces. And then begane no litell fray, but yitt a meary game; for rockettis war rent, typetis war torne, crounis were knapped, and syd gounis mycht have bene sein wantonly wag from the ane wall to the other; many of thame lacked beardis, and that was the more pitie, and tharefore could not bukkill other by the byrse, as bold men wold haif doune. Butt fy on the jackmen that did nott thare dewitie, for had the one parte of

The Bishop of Glasgow, who thus became the first archbishop—Robert Blackadder—also distinguished himself by his zeal, and in a form which to after-times in Scotland became far more offensive than that of the senior metropolitan. In 1494 he “delated,” or sent up for punishment to the civil power, thirty persons convicted by the ecclesiastical judicatories of the Wycliffe or Lollard heresy. They were nearly all from the districts of Kyle in Ayrshire, and are known as the Lollards of Kyle. The heresies with which they were charged—thirty-four in number—are briefly rendered by Knox. Shy as the ecclesiastical courts of the period were of leaving written traces of what they did, he seems to have had access to records of the accusation against them, now lost.¹ The civil power, however, was not inclined to further the persecuting zeal of the archbishop, and we hear no more of the matter.

In the year 1495 the Court of Scotland received a memorable visitor. He came thither as his Grace the Prince Richard of England, but is better known at the present day as Perkin Warbeck. Though every one is presumed to be acquainted with the genealogical condi-

thame reacontered the other, then had they all gone rycht. But the sanctuarie, we suppose, saved the lyves of many. How mearelye that ever this be written it was bitter bourding to the Cardinall and his courte. It was more than irregularitie; yea, it mycht weall have bene judged lese majestie to the sone of perdition, the l'ape's awin persone; and yitt the other in his folie, as proud as a packoke, wold lett the Cardinall know that he was a bischop when the other was butt Beatoun, befor he got Abirbrothok. This inemitie was judged mortal, and without all hope of reconsiliatioun.”—History, i. 145 147.

¹ What was heresy to Archbishop Blackadder was orthodoxy to Knox, who says: “By these articles, which God of His merciful providence caused the enemies of His trewth to keip in thair registeris, may appeir how mercifullie God hath looked upoun this realme, reteanyng within it some sponk of His light even in the tyme of grettest darkness” (i. 10). In the early edition of Knox's History, by a French printer, one of these Lollards is called “Adam Reid of Blaspheming,” which the editor of the standard edition of Knox shows to be a misprint for Barskimming. Mr Laing, the editor of that edition, has done all that topographical and genealogical knowledge can accomplish to identify others of the Lollards of Kyle.

tions which opened up the episode in history of which he was the hero, it will tend to clearness briefly to note them here. The houses of York and Lancaster were both descended of Edward III.—York from Lionel the elder son, and Lancaster from John of Gaunt the younger. According to the genealogical rule now accepted, the house of York was thus the true line, and it was restored by Edward IV. He left several children, among others two sons; and no historical incident is better known than the murder of these princes in the Tower by their uncle the usurper, Richard III. When Richard was conquered and slain at Bosworth, Henry took the crown as representing the house of Lancaster. To fortify his title, however, he immediately married Elizabeth, the eldest daughter of Edward and the sister of the two princes. If these were really dead, she was the heiress who represented the line of York; if either of them lived, she was not.

If such a thing as a judicial inquiry as to the murder existed, none was produced. Hence if any person came forward professing to be one of the princes who had been in hiding from his formidable uncle, it would be difficult to meet any run of popular credulity that such an apparition might excite. To prove the fact of the murder, testimony would have to come from those who would withhold it with all their might—the parties engaged in the murder or informed of the guilty secret. There was no other check on an informer but the difficult process of proving that he was not one of the princes, by proving that he came of other parentage. In fact, the conditions were of a kind which made it almost a political necessity that King Henry should have a tough struggle with some one started against him as the son of Edward IV.

He was very fortunate in the nature of the first attempt. Simnel, through whom the attempt was made, was a poor creature unfit for his part. The stories about him had to be changed, and were palpably false; and Henry, with consummate wisdom, instead of crushing him as a state criminal, gave him an under-turnspit's post in the royal kitchen. The wretched end of this affair might have checked further attempts, but there was a powerful woman.

determined, if the thing could be done, to find a son of Edward IV., and so trip up the house of Lancaster: this was the aunt of the two princes—Margaret, the widow of Charles the Bold, Duke of Burgundy. She spread the rumour that the younger of the princes was alive, could he but be found. She had means of knowing that the ruffians sent to commit the murder, when they had despatched the elder were seized with remorse and smuggled the younger off, keeping him in disguise and secrecy—hence the difficulty to discover him.

At length her search was rewarded with success. "The news," says Bacon, "came blazing and thundering into England that the Duke of York was sure alive."¹ It was stated, and those who met him found it to be true, that he was of a comely noble presence, accomplished in body and mind, learned, and exceedingly persuasive. He was generous, confiding, and noble in his aspirations; in all things endowed with the fundamental spirit of princeliness, though it was natural that he should not retain an aptness for the etiquettes of a court, seeing he had been forced to accept of an obscure position and to wander over the world. France took up his cause. He was received there in great state and surrounded with a body-guard, the captain of which was the Sieur de Concrecault already mentioned as of Scots extraction. By him the stranger was accompanied to Scotland, and there is no doubt that the visit was arranged between him and King James. James had three years to ponder over the affair before he thus committed himself; for so early as 1492, when Warbeck was in Ireland, we find the King of Scots receiving a letter from "King Edward's son and the Earl of Desmond."² The king received the stranger with a hospitable state worthy of the rank claimed by him. The opportunity was taken to arrange a political matrimonial alliance, and the Duke of York was solemnly married to the Lady Catherine Gordon, daughter of the Earl of Huntly, and granddaughter to James I. From the badge

¹ Kennet's Collection, i. 607.

² Extracts from the treasurer's accounts, Gairdner's Letters, ii. 327.

of the York family she got the name of the White Rose of Scotland. She seems to have been devotedly attached to her handsome and accomplished husband. On his part there exists, addressed to her, one of the most remarkable love-letters ever penned—full of devotedness and eloquent admiration, and toned with that high courtesy which the spirit of chivalry had then brought to its most extravagant development.¹

If such an act as this marriage be insufficient to prove King James's serious belief, that the man he dealt with

¹ "Most noble lady, it is not without reason that all turn their eyes to you ; that all admire, love, and obey you. For they see your twofold virtues by which you are so much distinguished above all other mortals. Whilst, on the one hand, they admire your riches and immutable prosperity which secure to you the nobility of your lineage and the loftiness of your rank ; they are, on the other hand, struck by your rather divine than human beauty, and believe that you are not born in our days, but descended from heaven.

"All look at your face, so bright and serene that it gives splendour to the cloudy sky ; all look at your eyes, as brilliant as stars, which make all pain to be forgotten, and turn despair into delight ; all look at your neck, which outshines pearls ; all look at your fine forehead, your purple light of youth, your fair hair ; in one word, at the splendid perfection of your person ; and looking at, they cannot choose but admire you ; admiring, they cannot choose but love you ; loving, they cannot choose but obey you.

"I shall, perhaps, be the happiest of all your admirers and the happiest man on earth, since I have reason to hope you will think me worthy of your love. If I represent to my mind all your perfections, I am not only compelled to love, to adore, and to worship you, but love makes me your slave. Whether waking or sleeping, I cannot find rest or happiness except in your affection. All my hopes rest in you, and in you alone.

"Most noble lady, my soul, look mercifully down upon me, your slave, who has ever been devoted to you from the first hour he saw you. Love is not an earthly thing, it is heaven-born. Do not think it below yourself to obey love's dictates. Not only kings but also gods and goddesses have bent their necks beneath its yoke.

"I beseech you, most noble lady, to accept for ever one who in all things will cheerfully do your will as long as his days shall last. Farewell, my soul and my consolation. You, the brightest ornament of Scotland, farewell, farewell."—Bergenroth's *Simancas Papers*, 78, 79. The process by which the accomplished editor reaches the conclusion that this letter was addressed by Warbeck to his bride is very curious and convincing.

really was the son of King Edward, it is fair to add to it the testimony of King Henry VII. himself, addressed to a neutral person, the Spanish ambassador. There seems to have been no stronger motive for Henry committing himself to a falsehood on that occasion than the rather inadequate one that he might compliment the King of Spain as an exception from the list of crowned dupes made by the impostor.¹

King James determined to support the adventurer's claim by an expedition into England. An auxiliary force of French and Burgundians, with money and weapons, was brought over by Conrescault. The preparations were made in the summer of 1496, but the expedition does not seem to have crossed the border until the month of September. King Henry had in his pay an accomplished spy hired to attend King James, and render an account of all that it was valuable for Henry to know. This was the same Ramsay, Lord Bothwell, who was spared at Lauder Bridge, who was forfeited on the charge of dealing between James III. and Henry for the subjugation of Scotland, and who stipulated for the seizure of James IV. and the delivering him to the King of Eng-

¹ The whole scene is very curious. "With respect to the observations of your Highnesses on Perkin, there is nothing to be said, except that he is kept with the greatest care in a tower, where he sees neither sun nor moon. The Bishop of Cambray, Ambassador of the Archduke, wished to see Perkin, because he had formerly transacted business with him. The king, therefore, sent a few days ago for Perkin, and asked him in my presence why he had deceived the Archduke and the whole country. Perkin answered as he had done before, and solemnly swore to God that the Duchess, Madame Margaret, knew as well as himself that he was not the son of King Edward. The king then said to the Bishop of Cambray and to me, that Perkin had deceived the Pope, the King of France, the Archduke, the King of the Romans, the King of Scotland, and almost all princes of Christendom, except your Highnesses. I saw how much altered Perkin was. He is so much changed that I, and all other persons here, believe his life will be very short. He must pay for what he has done."—*Ibid.*, 186. In estimating the weight of this admission, it must be remembered that King Henry would expect what he said to be told to King James, with whom the Spanish representatives were in close communication.

land. He told King Henry that he had prevailed on the Earl of Ross, the king's brother, not to take part in the expedition: He says it is very unpopular in Scotland, where people speak of the folly of it, and are so inclined that, if King Henry should send a force under proper leaders, there would be the best day's work on his enemies ever King of England had these hundred years. If his advice be taken, Scotland will rue this expedition for ages; and he declares before God that no man in England will more willingly and truly help thereto than himself.—King Edward was never so much beloved by his people as when he was at war with Scotland, and here was a better opportunity than he ever had. Coming to particulars, he says that on the 15th of September the expedition will be within ten miles of the marches.¹ The mixed army of Scots and foreigners, he says, amounted to 1400 men; if he was accurate, the smallness of the force justified his assurance that the expedition was unpopular. It would show, too, that James attempted no more than to hand the pretender over to his followers in England. The spy had been, by his own account, admitted to consultations, at which there was discourse about the reward that should be given to King James for his assistance when the heir of the house of York was restored to his own. One suggestion, seemingly a restoration of territory to Scotland, is of doubtful import.² The restoration of Berwick to Scotland was proposed, and payment, by instalments, of a hundred thousand merks for the expense incurred by Scotland in connection with the project. Persons in the position of Warbeck seldom scruple to concede such demands; but he asked time for consideration, and, according to the spy, made his bargain—the restoration of Berwick, and the payment of fifty thousand pounds. The

¹ "At Ellam Kyrk, within x myll of the marches of England." In the united parish of Elem and Longformacus in Berwickshire.

² "Anent the restorance of the vii hesdomis" in Sir Henry Ellis's version; in Pinkerton's, "anent the restoration of the vii sheriffdoms." The former is no doubt the literally correct. But what does it mean? One would naturally look, if it afforded any clue in that direction, to the old Cumbrian and Northumbrian districts.

spy next claims credit for having been shown private instructions to the French ambassador, and gives details from them very complimentary to King Henry, and rather disparaging to the King of Scots, as one who had shown a quarrelsome disposition towards so good a neighbour—all which brought from King James an outbreak of wrath against that good neighbour and his neighbourly practices. The spy makes a tempting exposure of the nakedness of the land. He will warrant King James had not a hundred pounds until he comed his chains, his plate, and his cupboards. He had inspected Edinburgh Castle, and saw there but a poor provision of ordnance. Two great curtals or short cannon sent from France, ten falcons or light cannon, thirty cast guns of iron, with chambers, and sixteen close carts or tumbrils for spears, and powder stores and other stuff for loading guns. Such is a sample of the information sent by one who declares, "I shall not fail, by God's grace, in this business to do good and acceptable service; and there shall be no privy thing done, neither about the king nor in his host, but your Grace shall have knowledge thereof, and that is true and unfeignit, for I have established such means ere I depart."

The information in these letters is of a kind that could only be given by one who had made his way to the implicit confidence of the person he was betraying. Ramsay seems to have been richly endowed with the art of pleasing. He was evidently a personal favourite with King

¹ Letters from John Ramsay (calling himself Lord Bothwell) to Henry VII., Pinkerton, ii. 438, printed from the original MSS. in Ellis's Letters, 1st Series, i. 22. Among the pieces of byplay narrated by the spy the following is a specimen: He was standing beside King James and Perkin when there arrived a Flemish captain, with two little ships and eighty German reiters. This captain professed himself devoted to King James, whom he had come to serve, and said emphatically, and with a meaning, that he would serve no other. "Then came Perkin to him, and he salute him, and asked how his aunt did, and he said, 'Well;' and he enquiret if he had any letters from her to him, and he said he durst bring none, but he had to the king." The "aunt" concerning whom he makes solicitous inquiries, thus dryly received by the Flemish captain, is the Duchess of Burgundy.

James, who would willingly have restored his fortunes. His lordship of Bothwell was not to be had—it was in the fast grip of the Hepburns, who were to make its name renowned in a later generation ; but King James gave Ramsay the estate of Balmain, and did him other acts of kindness. A character such as his is a novelty in our story, and attracts attention. Hitherto we have had to deal with rough consciences—with notions about loyalty, allegiance, and patriotism, which will not suit the social code of the present day. But here is our first encounter with the accomplished spy at full length—with the man who does not defy his oppressor, but becomes his servant, and accepts his munificence, that he may learn his secrets and betray them to his enemy ; who does not pass into sulky exile, but stays at home to serve his country that he may know its weakness, and lend a helping hand to its subjugation.

The quarrel thus raised with England, in a manner died out. The rising expected in the north of England was a failure. King Henry kept a force sufficient for the circumstances as they developed themselves, but not enough to show that he was seriously alarmed. The expedition against England was renewed in the spring of 1497, but so faintly as to appear like a pretence. At the same time Warbeck left Scotland, neither as an enemy driven out, nor, as it seemed, like an ally backed and supported. It is said in the chronicles, that James discovered his guest to be an impostor, yet would not give up the man who had eaten his bread and salt, and married his kinswoman ; and the unmeaning results seem to confirm this. Whatever were his private thoughts, King James to the last gave the etiquettes of royalty to his guest, and dealt to him the same splendid hospitality as at first. On so magnificent a scale, indeed, was the outfit of the adventurer when he departed, that James was suspected of having sent him on some hostile expedition. The escort was commanded by Barton, the great Scots sea-captain. But if this looked like war, the fugitive's wife, the White Rose of Scotland, and her train, were in the expedition, and this looked like peace, at least upon the sea.

King Henry took this affair with great appearance of magnanimity and forgiveness, and in the autumn of 1497 negotiated for the renewal of the truces. In truth, he could ill afford to quarrel with the King of Scots. While the Wars of the Roses had been sadly breaking up the stamina of England, the peace they brought between the neighbours gave room for the resources of Scotland to improve and grow. The country was becoming comparatively rich and powerful. It was connected by embassies to and fro with the great European states; and of late the mighty monarchs of Spain, Ferdinand and Isabella, had become deeply interested in the politics of Scotland, and had an accomplished ambassador at King James's Court, known as Don Pedro de Ayala. In his despatches to his own sovereigns he sent an account of the King of Scots—an account so vivid and individual that it would be valuable to history as a picture of the period, though, instead of dealing with a king, it had been a portrait of a living man of the day, too humble to be named in history. It is as follows:—

“The king is twenty-five years and some months old. He is of noble stature, neither tall nor short, and as handsome in complexion and shape as a man can be. His address is very agreeable. He speaks the following foreign languages: Latin, very well, French, German, Flemish, Italian, and Spanish—Spanish as well as the marquis, but he pronounces it more distinctly. He likes very much to receive Spanish letters. His own Scotch language is as different from English as Aragonese from Castilian. The king speaks, besides, the language of the savages who live in some parts of Scotland and on the islands. It is as different from Scotch as Biscayan is from Castilian. His knowledge of languages is wonderful. He is well read in the Bible, and in some other devout books. He is a good historian. He has read many Latin and French histories, and profited by them, as he has a very good memory. He never cuts his hair or his beard: it becomes him very well.

“He fears God, and observes all the precepts of the Church. He does not eat meat on Wednesdays and

Fridays. He would not ride on Sundays for any consideration, not even to mass. He says all his prayers. Before transacting any business he hears two masses. After mass he has a cantata sung, during which he sometimes despatches very urgent business. He gives alms liberally, but is a severe judge, especially in the case of murderers. He has a great predilection for priests, and receives advice from them, especially from the Friars Observant, with whom he confesses. Rarely, even in joking, a word escapes him that is not the truth. He prides himself much upon it, and says it does not seem to him well for kings to swear their treaties as they do now. The oath of a king should be his royal word, as was the case in bygone ages. He is neither prodigal nor avaricious, but liberal when occasion requires. He is courageous, even more so than a king should be. I am a good witness of it. I have seen him often undertake most dangerous things in the last wars. I sometimes clung to his skirts, and succeeded in keeping him back. On such occasions he does not take the least care of himself. He is not a good captain, because he begins to fight before he has given his orders. He said to me that his subjects serve him with their persons and goods in just and unjust quarrels exactly as he likes, and that therefore he does not think it right to begin any warlike undertaking without being himself the first in danger. His deeds are as good as his words. For this reason, and because he is a very humane prince, he is much loved. He is active, and works hard. When he is not at war he hunts in the mountains. I tell your highnesses the truth when I say that God has worked a miracle in him, for I have never seen a man so temperate in eating and drinking out of Spain ; indeed, such a thing seems to be superhuman in these countries. He lends a willing ear to his counsellors, and decides nothing without asking them ; but in great matters he acts according to his own judgment, and, in my opinion, he generally makes a right decision. I recognise him perfectly in the conclusion of the last peace, which was made against the wishes of the majority in his kingdom.

“ When he was a minor, he was instigated by those who

held the government to do some dishonourable things. They favoured his love intrigues with their relatives, in order to keep him in their subjection. As soon as he came of age, and understood his duties, he gave up these intrigues. When I arrived he was keeping a lady with great state in a castle. He visited her from time to time. Afterwards he sent her to the house of her father, who is a knight, and married her. He did the same with another lady, by whom he had had a son. It may be about a year since he gave up—so at least it is believed—his love-making, as well from fear of God as from fear of scandal in this world, which is thought very much of here. I could say with truth that he esteems himself as much as though he were lord of the world. He loves war so much, that I fear, judging by the provocation he receives, the peace will not last long. War is profitable to him and to the country.”¹

The strong and almost critical interest which the Spanish Government then took in Scotland arose from causes which seem obscure and confused at a first glance, yet render themselves perfectly distinct on close inspection. Spain was then taking the position it held down to the day of the Armada—that of champion and protector of the Pope—dom—the leader of the Ultramontanists, according to a recent nomenclature. King Ferdinand was framing a Holy Catholic League, of which he was to be the head. Protestantism had not yet become the dragon worthy of attack from such chivalry, and the great object of the league was to humble France, and that on account of the privileges asserted by the Gallican Church, which were held by Spain to savour of ecclesiastical independence, and to be inconsistent with the passive obedience which all provinces of the Christian Church owed to the see of Rome. It was Ferdinand's desire to bring the King of England and the King of Scotland both into this league: the latter feat would be a double triumph, as taking a friend from France and giving one to Spain and the Pope. A plan for gaining a hold on King Henry was the first

¹ Beigenroth's *Simancas Papers*, 169, 170.

idea completed—it was to marry the Spanish Princess Catherine to his eldest son Arthur. But there were misgivings about the stability of his throne, and these seemed likely to be realised when the new claimant appeared. Hence came that anxious scrutiny into Warbeck's sojourn in Scotland. There were searching inquiries made, too, all over Europe about him ; and it was probably in receiving the results of these from the Spanish ambassador that James came to the knowledge of Warbeck's history. At all events, the difficulty was cleared away. Henry was seen to be so well established that the matrimonial union was a safe speculation. The young husband afterwards died. In general such events, when there is no offspring, break up even political unions by marriage. The interests here at stake were, however, so momentous, that the usual impediments must be broken down by the all-powerful parties to the combination. Catherine, as everybody knows, was married to her husband's brother and heir. It seemed as if, in this instance, death itself had been conquered. Yet in all history there is perhaps hardly so broad a contradiction between the course which events took and the course it was intended they should take. The object was to strengthen the Papal power ; the actual result was that outbreak of Henry VIII. against the Pope which rang over all the civilised world in its day, and is ringing yet.

The Spanish monarchs, as we gather from their letters to their ambassadors, were heartily sorry that they had not another daughter by whom they might secure King James of Scotland. In fact, while the cloud hung over Henry, they were uncertain whether Scotland might not be the better bargain for the one they had. They went so far as to let their ambassador open to King James the prospect of a marriage with a daughter of Spain. The king took it up all too eagerly, and sent an ambassador to Spain about it. When Don Pedro in Scotland found the English marriage as good as settled, he was sorely at a loss how to act, and an ingenious device was suggested. King Ferdinand had a natural daughter. Let a story of an early private marriage be got up, and let this daughter, as the fruit of it, be offered to the King of Scots. He might think her

too old, and refuse her, but then faith would be kept with him. This was but a suggestion, however, which hardly took shape. Spanish honour repudiated it on consideration as an ignominious imposition. But while such a deception is condemned, the ambassador is charged faithfully to carry out another—to keep the King of Scots still in hope of a marriage with a daughter of Spain, though that was impossible without breaking faith with King Henry.

As the negotiations with England drew to a practical conclusion, Ferdinand was very nervous. Should King James discover how he was duped, it was all over with the project of detaching him from France and attaching him to the Holy Catholic League. Further, with the King of Scots as his enemy, King Henry would be almost helpless as a member of the league, so entirely would he have to devote himself to the protection of his own dominions. Hence Ferdinand implored his ambassadors to keep the negotiations secret from the King of Scots, when they were all but concluded. At one stage of the proceedings we find Queen Isabella, in an anxious letter to the Spanish ambassador in England, Don Pedro, instructing him not to apply to the Court of Rome for certain sanctions regarding the marriage, which might otherwise be convenient, because the King of Scots might hear of the application.

The way which the Spanish Court saw out of the difficulty happened fortunately as it seemed to correspond with King Henry's own views;—before King James hears of the English match as a fixed arrangement, let his own hopes be gradually lured towards the English Princess Margaret. A Spanish princess married to the heir of England, her sister-in-law the wife of the King of Scotland—here would be a sound foundation for a family compact, giving strength to the Holy League. In opening this view, however, Spain sees a difficulty. The Princess of England was so young—she was born in 1489—that King James might not agree to wait for her, or, if agreeing to do so, might break off. He happened, however, to be occupied with other loves, and not to be impatient for a political alliance. King Henry was at least as anxious as King

Ferdinand for this disposal of his daughter. So early as the year 1495 he had suggested the arrangement, and empowered commissioners to treat of it.¹ The diplomatists of the two powers worked at it effectually, proving in the end as successful as their masters could desire.²

When in 1501 Prince Arthur of England was married to Catherine of Aragon, there was no longer anything in the event to disturb the equanimity of King James; and a few months later—the beginning of 1502—he was by treaty affianced to the Princess Margaret of England. Queen Isabella of Spain, when she was assured of this, wrote urgently to the Spanish ambassador, saying that King James was now one of the family, and should immediately be made a party to the league. Scotland joined England in a treaty with Spain, and Denmark was almost unexpectedly added to the alliance. Still it was but a partial success as yet. Henry of England could not be persuaded to make war on France, or even take up a fighting attitude. As to King James, he was not detached from the old league with France, and when practical difficulties arose, held by it, as we shall find. Thus Spain had accomplished but a portion of the task of consolidating a holy alliance; but it was the way of that power to consider its championship of the Church as something absolutely right, which destiny would in due time give effect to.

On the 8th of August 1502, the ceremony of marriage between King James and Margaret, Princess of England, was celebrated in the Chapel of Holyrood. A union of crowns and governments might be viewed as a possible result of such a marriage; but there had been others

¹ *Fœdera*, xii. 572.

² The evidence for this episode in European diplomacy is scattered all over Mr Bergenroth's remarkable collection of Simancas state papers. In confirmation of the brief narrative here given, see pages 85, 91, 96, 98, 105, 106, 109, 111, 115, 124, 126, 133, 135, 140, 175, 190, 191. Some questions have recently been afloat as to the credit to be given to the exactness and authenticity of the revelations made by Bergenroth. He was a laborious worker, and an enthusiast who died in harness; and his discoveries, certified as they are to the world by the highest authority, must be accepted as genuine, until some one shall show that they are not so.

between Scotland and England with no such result. It was long ere such a harvest of peace seemed likely to arise from this union—it seemed, indeed, to be so buried under events of a contrary tenor that it was almost forgotten; yet, a hundred and one years later, it sent the great-grandson of James IV. to be King of England.

In this reign the old difficulties with the Celtic districts in the west came up again, little modified by all that had been done to break the power of Donald of the Isles. In the usual historical language, the king determined, by vigorous efforts, to enforce the law in these districts, and repress the turbulence of the rebellious chiefs. The king, who was fond of travelling and of adventures, paid repeated visits to the far-stretching Mull of Cantyre, to the islands clustering farther west, and to the northern territories of Inverness-shire. He was eminently successful in these campaigns, as his predecessors had ever been. The time when an army, especially an army commanded by the king in person, was among them, was not that which the Highlanders and their leaders selected for independent action. All was ready submission, except apparently on one point. By this time castle-building had made its way to the Highlands—a few of the Highland fortresses, indeed, such as Dunstaffnage, Swein, and Tarbet, were probably built late in the thirteenth or early in the fourteenth century. To these were added a few of the smaller strengths, such as the gentry were building all over the Lowlands. The prevailing type of fortress, however, appears to have been but an improvement on the hill-fort—dwellings built with wattles and mud, protected by mounds of stone or earth.¹ King James took some steps for leaving garrisons in the castles already built, and for building others. This was a policy pronounced by Parliament “ryght necessar for the daunting of the Isles.”² It was

¹ Even the Castle of Inverness, a critical frontier fortress, seems to have been but of this kind until, in 1506, Huntly, who was appointed its governor, became bound, at his own cost, to raise there a hall of stone and lime upon vaults, with a slated roof, a kitchen, and a chapel.—Gregory's *History of the Highlands and Isles*, 105.

² Acts, 1503, ii. 240.

of course, for this very character of garrisoning and internal ruling, both unwelcome and alarming, and therefore met with resistance.¹

The plan of stationing garrisons at proper intervals over the Highlands and Islands would doubtless have solved the question of keeping their inhabitants in order, or rather in subjection. It was the plan adopted by Cromwell, who kept the district quieter than any other ruler from the days of Bruce to those of George II. It was virtually the plan of that reign on the suppression of the latest Jacobite in-

¹ My late accomplished friend, Donald Gregory, though he passed away before the period of full intellectual maturity, is the least credulous and discursive of those who relate the history of the period from the Highland side. He gives this account of the taking and garrisoning of Dunaverty, in Kintyre:—

“A great portion of Kintyre had been held, under the Lord of the Isles, by Sir Donald de Insulis, surnamed Balloch of Isla, prior to this resignation, which deprived Sir Donald and his family of a very valuable possession. Whether Sir John of Isla, the grandson and representative of Sir Donald, had, at the time he received knighthood, on the first visit of James IV. to the Isles, any hopes of the restoration of Kintyre, cannot now be ascertained. But it is certain that he was deeply offended at the step now taken, of placing a garrison in the Castle of Dunaverty; and he secretly collected his followers, determined to take the first opportunity of expelling the royal garrison, and taking possession of the district of Kintyre. This opportunity was soon afforded to him. The king, not expecting opposition from this quarter, was preparing to quit Kintyre by sea with his own personal attendants—the bulk of his followers having previously been sent away on some other expedition—when the chief of Isla, finding everything favourable for his attempt, stormed the castle, and hung the governor from the wall in the sight of the king and his fleet. James, unable at the time to punish this daring rebel, took nevertheless such prompt measures for the vindication of his insulted authority, that ere long Sir John of Isla and four of his sons were apprehended in Isla by MacIvan of Ardnamurchan, and brought to Edinburgh. Here they were found guilty of high treason, and executed accordingly on the Burrowmuir, their bodies being interred in the Church of St Anthony. Two surviving sons, who afterwards restored the fortunes of this family, fled to their Irish territory of the Glens, to escape the pursuit of MacIvan. In the course of this year, likewise, two powerful chiefs, Roderick Macleod of the Lewis and John MacIvan of Ardnamurchan, made their submission; and the activity displayed by the latter against the rebellious Islesmen soon procured him a large share of the royal favour.”—Gregory’s History of the Highlands and Isles, 89, 90.

surrection, and at a later time still it was extended to Ireland in the shape of an armed police with stations or barracks. In the days of James IV., however, the crown could not afford the cost of such a system. For fighting men it depended on the feudal array, which might bring a large army for an occasion, but did not afford men for constant duty in garrison. Any force which the crown could establish in these regions was trifling, and other methods had to be tried for keeping rule.

The Government, insufficient in central power, had to lean on local influences. To a casual observer it would seem as if division was sown among the elements of the old dominion of the Lord of the Isles, and then that one clan or group of the divided elements was incited against another, so as to bring war and destruction. The shape which the policy of the crown took—or, it would be better to say, had to take—was to help well-affected powerful families who were helping themselves. By far the most valuable of these were houses which had a Lowland standing, while they were acquiring territory and influence in the Highlands. In this shape two houses come out so emphatically in the history of the Highlands, that they are not to be spoken of as prosperous families, adding acre unto acre, but rather as political dynasties, with a hereditary capacity for aggrandisement like the Hapsburgs or the Brandenburgs. It was this that made them infinitely valuable to the crown, and sometimes dangerous to it, while they were the scourges of the Highland septs that did not come into their alliance.

The heads of these houses were lords at Holyrood and chiefs in the Highlands. The greatest in the north was the Seton-Gordons, lords of Huntly. We have already seen the steps of local aggrandisement by which they were raised to power.¹ These were enhanced by a royal alliance. In 1460, George, second Earl of Huntly, was married to Annabella, the youngest daughter of James I.²

¹ Chap. xxviii.

² Riddell, in *Proceedings of Ant. Soc. Scot.*, iii. 97. She was the mother of "The White Rose," who became the wife of Perkin Warbeck. Annabella had been engaged to the Duke of Savoy, but the union

Huntly was appointed Sheriff of Inverness, and his jurisdiction in this capacity extended northward over Ross and Caithness. It was, in fact, the old troublesome Maarmorate of Ross, which had been hardly less troublesome as an earldom, and was now handed over to a local magnate who was nominally a servant of the crown. It was an obligation on Huntly that he was to complete a fortress at Inverness, and support its garrison. This was the best that the crown could do to keep a military force at a very critical point, for Inverness was not deemed then, as now, the capital of the Highlands. It was a colony of trading Lowlanders, pushed close up to the Highland frontier. The burghers were thus tempted, by the special trade they drove, into the midst of dangers; but they selected a spot capable of defence, and separated, by waters not easily passed, from the nearest Highland neighbours. On the map of Scotland it will be found that Inverness is at the east end of a long cut or valley, containing a chain of lakes which separates a great portion of the Highlands from the rest of the country. The tourist knows it as the track of the Caledonian Canal. At its western extremity is Fort William—the farthest westward of a line of forts built to carry out the example set by Cromwell. At the eastern end of this natural line of defence, Fort George, on the Vauban system of fortification, represents King James's Castle of Inverness. It was to be supported by a fortress at the other end, corresponding with Fort William; for, on the opposite side of the loch, at Inverlochy, the Earl of Huntly, in consideration of his high appointments, became bound to raise a tower and strength, with a barmekyn or barbican.¹

The Government influence over the clans of the south-west fell to the house of Argyle, which had just obtained,

was stopped by the political interference of France when she was on her way to her intended home. She was afterwards separated from Huntly by one of those mysterious divorces founded on the artificial affinities created by the canon law, and always dispersible by dispensation, referred to at the beginning of chap. xxvi. See the case at length in Riddell's *Inquiry into the Law and Practice of Scottish Peerages*, 526

¹ Gregory, 105.

by marriage, the district of Lorn—so important that we have on occasion found the Lord of Lorn spoken of as the Maor or chief ruler in these Celtic dominions. In the Lowlands the head of the house was successively earl, marquis, and duke. About such titles his Celtic subjects would neither know nor care to know. They might be casually spoken of as among the tawdry foreign decorations conferred upon their chief. To them he was something infinitely greater and more illustrious as Mac Callum Mohr—the son of Callum the Great—who had been the Charlemagne or King Arthur in their line of chiefs.

Perhaps the long-drawn-out results of this policy or necessity of the Government of Scotland will show that, could the Highlanders have been held down as a subject people by royal garrisons, it had been more merciful to themselves, and more conducive to the peace of the Lowlands and the safety of the Lowland people. The great mischief and difficulty lay in the two populations being in social conditions antagonistic with each other, and incapable of working together. The Lowlanders had taken over from the Normans the feudal system. It was not forced on them, as it had been on England, and was, as we have seen, pared of the regal and aristocratic prerogatives that made it so terrible to the Saxons. Its logic, however, was perhaps more closely worked out in Scotland than in England. There was a monarch, who was so far ultimate owner of all the soil, that every title to it, through however many gradations, superior and vassal, ended in his superiority over all; and this was coupled to the function which, in English phraseology, made the crown the fountain of honour. To the throne and to the feudal estates there was a system of hereditary succession, clear and indubitable as an exact science. Keeping together this organisation, there were the records of conveyancing, and of the proceedings of Parliament and the courts of law, which preserved all rights of property, and kept them in working condition.

If an antithesis is wanted, it might be said that among the Celts, instead of the land nominally belonging to the head, it belonged, so far as there really was property in it,

to the holders and cultivators of it, while their head or chief had concern, not with it, but with them, as living beings over whom he held absolute rule. A system or science of succession, by which a woman or a child might succeed and reign with as absolute certainty as a politic and hardy man, was a refinement of feudalism utterly out of their comprehension. With them the heir to any lapsed dignity or property was the strongest man near it. He might be the son—he was often the brother, when the son was too young to act. Above all, they detested the records and writings of the Saxon. The Lords of the Isles no doubt issued charters to professed vassals, but these were a sort of ostentatious flourish, like the imitations by Oriental princes of the forms of European courts. It is because records are lamentably wanting to aid Highland history that we know so little of its details, and can only see it in the mass from the Lowland side. Hence it is impossible to follow the most illustrious genealogies in this department of British history; and it sometimes seems that it is one family, sometimes another, that has the chief rule of the dominion, which, for want of a better name, is called the Lordship of the Isles.

We have already seen how the organisation for the administration of sovereign justice was nominally extended over these regions; and now Parliament, finding these to be in practice very defective, undertook the improvement of them. The Isles were divided into sheriffdoms; and that extensive northern district over which Huntly was made supreme sheriff was divided into districts, where depute-sheriffs were to administer justice at Kingussie, Inverlochy, and Tain.¹ There are traces, at the same time, of an attempt to make the Highlander acquainted with those Lowland laws which he was required to obey—or, at all events, to give him legal advisers to direct his steps. There exists a gift of crown lands in the Isle of Skye in favour of a certain Kenneth Williamson, to enable him to study the laws of Scotland, so that he may afterwards take practice in the Isles.²

¹ Gregory, 100-105; Act. Parl., ii. 249.

² Gregory, 104

In 1492 there was a great raid on the mainland by the Islesmen; and as it swept over the northern mountain districts and spared the Lowlands, it is supposed that the object was not merely plunder but the recovery by conquest of the earldom of Ross. This gave an opportunity for an act on which the crown had not before ventured, however desirable it might be—the abolition of the separate lordship of the Isles by forfeiture. The natural result of this was that the chiefs or territorial potentates who held, or were presumed to hold, of the Lord of the Isles as their superior, should now hold of the crown—at least so far as charters and the phraseology of the king's chancery could make it be so.¹

The most effective way of improving an ill-conditioned country has been by what is mildly called "plantation." This is the manner in which the north of Ireland was at a later time improved. It implies, however, the cruel process of clearing off the inhabitants by driving them forth or putting them to death. A small attempt seems to have been made at this time towards such a clearing. Huntly and other commissioners were directed to drive out all "broken men" from certain forfeited estates, and let them for five years to tenants who should be "true men"—an opportunity which it would try the courage of the Lowland agriculturist of the day to seize. This term of "broken men" introduces us to a plan adopted by the Government, which shows that in some respects the laws and customs which the Saxon Lowlander deemed all-sufficient for both races had to accommodate themselves to the special nature of the Celt. The term "broken men" applied to those who had no chief to be responsible for them. It was becoming the practice to require the heads of clans to be answerable for the good conduct of their followers. In this reign, by an Act of Council, chiefs of clans were made responsible for the execution of legal writs against their vassals.² It was in vain that the law sought to lay personal responsibility on men so absolutely under the dominion of others, and therefore it required to go out of the common

¹ Gregory, 88.

² Ibid., 91

track, and reach the clansmen through a pressure on the chiefs to whom they gave their absolute allegiance. In the succession to estates, and dignities too, the Government sometimes found it necessary to countenance that departure from the hereditary line which carried the succession to the relation who had established the strongest political influence in the clan. When the feudal law of succession was rigidly enforced in such instances, it came to this, that one man held the parchments, but another held the territory and the allegiance of those who dwelt on it. We have seen that in the succession to the lordship of the Isles itself the rule of legitimacy was suspended. We find Hugh, a younger brother, obtaining a royal charter in favour of his children by Fynvola of Ardnamurchan, whether legitimate or illegitimate,—it was perhaps a doubtful marriage. Failing these the succession was to go to a son by any other woman, with the assent of those who formed the council of the Earl of Ross.¹

The measures for the promotion of order in this district—or by whatever other name they may be justly called—were accompanied by many turbulent outbreaks, so closely contemporaneous with them, and so mixed up with them, that it is difficult to unravel the whole and say, between the Government and the Highlanders, on which side is the cause and on which the effect. It would appear that the compromise of 1476, by which the Lord of the Isles became a lord of Parliament, and gave up portions of his territory to the crown, created dissatisfaction. The disaffected were headed by Angus, the illegitimate son, who was to succeed to the honours; and if we are to accept of Highland history as true, there were bloody battles between the father's party and the son's. An infant of Angus—illegitimate like himself—named Donald Dhu, or the Black, was kidnapped and carried off to one of the strongholds of Argyle. Angus being dead,

¹ "Quibus omnibus deficientibus, heredibus suis masculus post mortem præfatæ Fynvolæ, inter ipsum Hugonem et quamcunque aliam mulierem, de concilio dicti comitis," &c.—Wood's Douglas,

Alexander of Lochalsh, a sister's son of the father, took possession of the titles, holding them, as it was said, for his nephew Donald Dhu.

This Donald escaped and appeared among the Islesmen in the year 1501, apparently a critical juncture in the reforming process of the Government. He was received as the true lord and king of the old Scandinavian sovereignty. Torquil Macleod of the Lewis, and the other chiefs, who might be called the nobles of the island sovereignty, rallied round his banner. Here was something substantial, not to be dealt with through Statutes or Acts of Council. There was a war of three years, conducted by the king himself, and Huntly as his lieutenant, ere the rebellion, as it was called, was suppressed and Donald Dhu taken a captive to Edinburgh.

The result of all this rather confused chapter in history was, that the lordship of the Isles as a separate state claiming independent sovereignty was broken up. However far the people and their chiefs were from assimilation with the rest of Scotland, there was no longer a centre of resistance. The Government, if it had to deal with unruly people, dealt with them in detail, and was aided by their quarrels among each other. The districts were still exceedingly troublesome, but no longer politically formidable. There arose out of the dissolution of the old lordship two sets of clans, the one consisting of those whose ancestors had been subordinate to the Lord of the Isles, the other of those whose chiefs claimed direct descent from his house. The names of the clans claiming such descent, as arranged by the best authority on such matters, make a curious and characteristic list: they are, "The house of Lochalsh, the house of Sleat, the Clan Ian Vor of Isla and Kintyre, the Clan Ranald of Lochaber, the Siol Gorrie, the Clan Ranald of Garmoran, the Clan Ian Abrach of Glenco, the Clan Ian of Ardnamurchan, and the Clan Allaster of Kintyre."¹

Thus, after a long and tough struggle, there was an end of that separate Celtic state holding rule among the moun

¹ Gregory's Highlands, 59.

tains and islands of the west—the last distinct relic of the Norse invasion and occupation. It is difficult to form a distinct notion of its origin and history from the shiftings in which it was involved. It was, as we have seen, before the Norsemen came, the peculiar district of the Scots and of their ruler; and when the race of Fergus moved eastward and took the name of Scotland with them, the territories first ruled by them in North Britain fell into the hands of another race, who strove to hold them as an independent power.

It was during this reign that there was the beginning of troubles on the borders, bearing in some of their features a resemblance to those with which this Highland district had so long afflicted the central government. A notice of the measures for enforcing the executive power in the border districts may be deferred till we find them coming to conclusive practical results in the next reign. The history of Scotland was unfortunately in the mean time to take its tone and character from the renewal of the quarrel with England. Presently, after the death of Henry VII. in 1509, the country felt that it had lost a peaceful neighbour. The passionate self-willedness of his successor soon becomes perceptible in disturbing influences, which there was not steadiness enough on the other side to repress. The earliest symptoms of dispeace between the two countries came from a new source—quarrels and captures at sea. These show us Scotland making effective progress as a naval power. To the creating of such a power there go three things—a great seaboard, an enterprising population fond of the sea, and available wealth, or, as it is called, floating capital. Scotland eminently possessed the first qualification, and her people inherited enough of the old Norse blood to supply abundance of the second. The available means for building and outfit were sometimes taken by force, which was the way in which the Vikings got their capital, or from the proceeds of honest industry, sometimes from a mixture of both; and we may fairly take it to have so been in Scotland and the other active shipping districts at the time we speak of. King James took a deep personal interest in the progress

of a shipping force, and felt great delight in visiting the building-yards and encouraging inventions and projects in shipbuilding. It was his ambition, as it has been that of others in later times, to create a ship that should be the wonder of the seas. It was completed after a world of anxiety and costly material and labour. It was, we are told, 240 feet long. The hull was ten feet thick of solid oak. Trials of cannonading were made on her sides as they now are on the ironclads, and such artillery as could be brought against her was ineffective.¹

It is probable that the Michael, like other ambitious structures, was beyond the seamanship of the age, and

¹ The reader will have before him all that is known about this great achievement in naval architecture in the following picturesque account in the Pitscottie Chronicle: "In the same year [1511], the king builded a great ship called the Michael, whilk was ane very monstrous great ship. For this ship took so mekil timber that she wasted all the woods in Fyfe except Falkland wood, by the timber that came out of Norway. For many of the shipwrights in Scotland wrought at her, and wrightes of other countries had their device at her, and all wrought busily the space of an year at her. This ship was twelve score fouts length; thirty-sax foot within the walls. She was ten foot thick within the walls of cutted risles [ribs] of oak, so that no cannon could doe at her. She cumbered all Scotland to get her to the sea; and when she was committed to the sea and under sail, she was counted to the king to forty thousand pound of expenses by her orders and canons whilk she bare. She had three hundred mariners to govern her: six score gunners to use her artillery, and ane thousand men of war—by captains, skippers, and quarter-masters. When this ship passed to the sea and was lying in the road, the king caused shot ane canon at her, to essay her if she was wight, but the canon deered [hurt] her not. And if any man believes that this ship was not as we have shown, let him pass to the place of Tullibardine, where he will find the breadth and length of her set with hawthorne. As for my author was Captain Wood, principal captain of her, and Robert Barton, who was master skipper. This ship lay still in the road, and the king took great pleasure every day to come down and see her, and would dine and sup in her sundry times, and by showing his lord her order and munition."—Pitscottie, 257, 258.

The author of the Statistical Account of the Parish of Blackford in Perthshire mentions that at Tullibardine "may be seen a few thorn-trees that may be viewed with a kind of antiquarian interest." Then, giving the outlines of the Pitscottie story, he concludes: "Only three of these trees now survive the ravages of time and the encroachments of the plough."—Stat. Ac. of Perthshire, 299.

too large to be handled; for we hear of no historical career befitting the expectations from such a miracle of shipbuilding. The impulse given to naval architecture in Scotland is evidently due to peace having brought prosperity to a people naturally fitted for that form of enterprise. There were, however, external as well as internal conditions necessary for the nourishment of shipping and trade. Suppose a community to have every possible means and aptitude for becoming a great shipping state, if there is at hand a larger state with the same qualifications, which deals with its neighbour as an enemy ever to be attacked and injured, the shipping of the smaller will be swept from the sea, and all its efforts to grow into a naval power be blighted. So it was in Scotland. The brief growth of a shipping power, mercantile and warlike, at the conclusion of the fifteenth century, is due to Scotland having become rich at a time when England was enfeebled and impoverished by the Wars of the Roses. When the greater nation recovered its strength, the expansive power of the smaller was checked. In the direction of navigation and foreign trade, Scotland was involved in a hopeless struggle with England down to the time when, under Cromwell's government, the nations were united with common encouragements and restraints. The contest broke out again at the Restoration, and its last incident was just before the incorporating union, when Scotland, in reprisal for injuries committed by England on her shipping, seized an English vessel in Scots waters, and hanged the crew for piracy. All this makes every little item we can discover about the short prosperous progress of the Scots shipping interest very significant, but it is unfortunately meagre.

The first great sea-captain was Sir Andrew Wood of Largo. * Whatever had been his origin, he was a territorial baron, and, by a combination then rare, adorned his rank by the qualities of a practical seaman. Two great naval achievements are attributed by our own historians to Sir Andrew Wood. Finding the Scots seas infested by English pirates, with his own two favourite vessels, the Yellow Caravel and the Flower, he fought five of these, and

brought them into the harbour of Leith.¹ This having roused the indignation of the English, a renowned commander named Stephen Bull was sent with a naval force to bring him in, dead or alive; but, after a running fight from the Firth of Forth to the mouth of the Tay, this force also was conquered, and the English vessels brought in triumph into the harbour of Dundee.²

¹ Pitscottie, 240.

² Pitscottie, 240, 241. It is necessary to say that there appears to be no account of these victories on the English side, and all that English documents afford in their support is proof that there existed an English seaman named Stephen Bull. From the leading Scots chronicle of the period the following story of the fight is given, as far more expressive than any recapitulation of it in modern language can be:—

“Nevirtheles ane captane of warre, ane gentlman called Stephan Bull, took in hand to pas to the sea and fight with Sir Andro Wood, and bring him prisoner to the King of Ingland, either quick or dead; quhairat the King of Ingland was greattumlie rejoyest, and caused provyd the said captane thrie great schipis weill furnished with men and artillarie. Efter this the captane past to the sea, and sailed quhill he cam to the Scottis Firth, that is to say, to the back of Inchmay, beyond the Bass, and tuik many of our boattis that war traveling for fisches, to win their living, and tuik manie of thame to give him knowledge quhair Sir Andro Wood was; quhill at the last, a little before the day breaking, upoun ane Sunday morning, ane of the Inglish schippes perceived tua schipes cuming under sail by St Cobe's [Abb's] Head. Then the Inglish captane caused sum of the Scottis prisoners pas to the topis of the schipes, that they might sie or spy if it was Sir Andro Wood or nought; bot the Scottis men dissemblit, and said they knew not who it was, quhill at the last the captane promised thair ransom frie to tell the veritie if it was Captane Wood or not, quho certified him that it was he indeed. Then the captane was verrie blyth, and gart fill the wyne, and diink about to all the skipperis and captanes that was under him, praying them to tak guid courage, for thair ennemies war at hand; for the quhill caussis, he gart ordour his schipes in fear of warre, and sett the quartermaister and captanes, everie on in his awin rowme, and caused the gunneris to chaarge and put all in ordour, lyk ane guid and stout captane.

“On the other syd, Sir Andro Wood cam pertlie forward, knowing no impediment of enemies to be in his gaitt, quhill at the last he perceived tua schipes cuming under sail, and making fast towardis them in fear of warre. Then Captane Wood sieing this, exhorted his men to battell, beseiking thame to be ferce against thair enemies, who had sworne and avowed to mak thame prisoneris to the King of Ingland; ‘Bot will God, they sall fail of thair purpose. Thairfoir sett

The naval powers of the day retaliated upon each other the charge of piracy, and generally with much truth. Hence, though the services of Sir Andrew Wood are said, on the side of Scotland, to have been against pirates, it does not absolutely follow that his enemies partook much more than he himself did of that character. The other great Scots sea-captain of the day, Andrew Barton, was

yourselffis in ordour, everie man to his awin rowme, and lat your gunes and crosbowis be readie. Bot above all, use the fireballis weill in the topis of the schipes, and let us keip our overloftis with tua-handit swordis, and everie guid fellow doe and remember on the weil-fair of the realme, and his awin honour; and weill God, for my awin pairt, I sall schow yow guid example.' So he caused perce the wyne, and everie man drank to other. Be this the sun begouth to ryse and schyne bright on the saillis, so the Inglisch schipes appeired verrie awfull in the sight of the Scottis, be reasoun thair schipes war gritt and strong, and weill furnished with great artillerie. Yitt the Scottis effeired nothing, bot kest thame underward on the Inglismen, who sieing that, schott tua great cannonees at the Scottis, thinking that they should have strikin sail at thair boast. Bot the Scottismen, nothing effeired thairwith, cam stoutlie fordwaird upoun the wind syd upoun Captane Stevin Bull, and clipped fra hand, and fought thair fra the ryssing of the sune till the goeing doun of the same, in the long sommeris day, quhill all the men and women that dwelt neir the coast syd stood and beheld the fighting, quhilk was terrible to sie. Yitt notwithstanding the night severed thame that they war forced to depairt from otheris, quhill the morne that the day began to break and thair trumpettis blew on aither syd, and maid thame againe to the battell, who clipped and fought so cruellie, that nather skipperis nor marineris took head of thair schipes, but fightand still till the ebb tyd and south wind buie thame to Inchcap, forenent the mouth of Tay. The Scottismen sieand this, they tuik sick courage and hardiment that they doubled on the strokis of the Inglismen, and thair tuik Stevin Bull and his thrie schipis, and had thame up to the toune of Dundie, and thair remained till thair hurt men war cured and the dead buried; and thairefter tuik Stevan Bull, and had him to the kingis grace as a prisoner. And the king receaved him gladlie, and thanked Sir Andro Wood greatlie, and rewardeid him richlie for his labours and great proof of his manhead, and thairefter propined the English captain richly, and all his men, and send thame all safie hame, thair schipes and all thair furnishing, becaus they had schowin themselfis so stout and hardie warrioures. So he sent thame all back to the King of England, to lett him understand that he had als manlie men in Scotland as he had in England; thairfor desired him to send no moe of his captanes in tyme cuming."—Pitscottie, 241, 242.

charged with piracy on the side of England, and on that ground attacked in time of truce. He held letters of marque against Portugal and some other foreign states; and it was said that he did not take sufficient care to distinguish English vessels from those against which he was authorised to cruise. An expedition against him was fitted out under the two sons of the Earl of Surrey—Lord Thomas and Sir Edward Howard. They fought in the Downs, two ships on either side.¹ The English gained the battle, and Barton was killed. The Scots victories of Wood belong to the beginning of James IV.'s reign. This reverse, which did not hinder the country from esteeming Barton as even a greater commander at sea, occurred in 1512; and we may easily believe that there had been many irritating incidents at sea throughout the interval in which Wood and the Bartons gained their renown as practical seamen.

But Scotland was not to escape the calamity common to all feudal states, that if the navy became a powerful and conspicuous arm of the state, the command of it must belong to the feudal aristocracy. The social position which commands obedience goes a great way in making a military commander, and was of course more influential then than it is now. There could be no command over vessels, however, without the technical acquirements of the sailor. Then every well-born youth was trained more or less to land war; and if a general were selected solely for his feudal rank, he was a soldier, though he might be an imperfect one. Selecting such a person for a sea-captain was, however, certain ruin. Yet when, in the next war with England, a mighty effort was made, and the greatest navy Scotland ever saw was put to sea, the command fell to the Earl of Arran. There were in all thirteen great vessels, including that wonder of the world the *Michael*. It is said that the mistake was speedily discovered, and that Sir Andrew Wood was commissioned to supersede Arran, but he could not find the fleet. In the confusions that

¹ The chief authority for the particulars of this affair seems to be Bishop Leslie—*Scots version*, p. 82.

follow, indeed, it mysteriously disappears from history. Some traces show that it sailed to France; and it is supposed that in the course of negotiations, the record of which has been lost, the Scots Government, in its subsequent depression, disposed of the vessels to the Government of France. We know, at all events, that the Great Michael was sold by the Duke of Albany to the French Government by a solemn contract, in which the price of the vessel, and her arms and outfit, was to be forty thousand francs tournois.¹

When redress was sought from the English Government for the capture of Barton's vessels, the answer was that they were pirate ships, and it was the duty of every civilised government to suppress piracy. Other disputes arose, among which was one that had a rather sordid aspect as an element in a national quarrel. King James demanded money and jewels, which his wife, the queen, should have inherited from her father, and became an importunate creditor; while King Henry held the still less dignified position of a reluctant debtor. Scotland, however, was arming, and to this end the money was needed. But what rendered it desirable to the one king gave the other a motive to retain it. The readjustment of the general European relations, however, was the most serious cause of disagreement. Henry was going to war with France, and Scotland was to hold by her ancient ally. King Henry, more easily moved to fight for the league than his father was, had sent one army to France, and was going himself with another; while Ferdinand, the soul of the league, had a great force ready in Spain. France, since the expulsion of the English, had never felt more need of co-operation from Scotland in the approved shape of sending an army into England. The old alliance was pressed with new and valuable advantages to Scotland. Hitherto Scotsmen had readily obtained the privilege of naturalisation, or admission to the privileges of natural-born Frenchmen. On a renewal of the alliance, general

¹ *Epistolæ Regum Scotorum*, i. 214. "Quemadmodum magnam navim nostram quam vulgo Michaellem appellant."

letters of naturalisation were to be issued, by which every Scotsman became virtually a citizen of France. The distinction thus conferred on Scotland was the more conspicuous, that France was of old remarkable for the churlishness with which foreigners were excluded from the protection of her law by the inhospitable *droit d'aubaine*. It was just at the time when Scotland was paying the fatal price of this friendship that the arrangements for conferring the new privilege on all natives of the country were formally completed.

An accomplished and ambitious priest, named Andrew Forman, who afterwards became Archbishop of St Andrews, acted as ambassador from Scotland, both in England and France. He did his best to forward the strife with England. There is on record a powerful testimony to his success. Between the Pope and his supporters on one side, and the King of France on the other, there was an ecclesiastical contest about the appointment of an Archbishop of Bourges. In the end the candidate favoured by King Louis was successful. This candidate was Forman; and the ground on which King Louis demanded the support of the chapter was the signal service Forman had done to France by bringing about an invasion of England by the King of Scots.¹ With these, the ordinary political causes of quarrels among nations, came another, which one cannot understand without throwing himself back into the chivalrous religion of the times. Queen Anne of France sent to King James a letter appointing him her chosen knight. She was a lady in dolorous plight, with the enemy at her door; and as her bounden champion she laid it on him to march for her sake three feet into English ground. We are told that this appeal was accompanied by fifteen thousand French crowns—an acceptable gift at that juncture, but small payment for the sacrifice demanded.²

At length King James issued summonses to the feudal

¹ See this affair at greater detail in the Author's *Scot Abroad*, i. 137.

² Pitscottie, 203,

force all over the land to gather at the Boroughmuir of Edinburgh—the ground now covered by the suburb called Morningside. It is hardly possible to believe what the chroniclers tell us, that a hundred thousand men in fighting condition assembled there, knowing, as we do, that the cause in which they met was not popular. All contemporary testimonies to the passing events enlarge eloquently on the persuasives and influence borne in upon the king to turn him from his unhappy purpose, but all in vain. Stories were afterwards remembered of portents and prophecies—stories which perhaps took their colour from the gloomy events which they professed to have foreshadowed. A visionary seer appeared before him, while he was at his devotions in the church of Linlithgow, who, after a solemn warning to him to desist from his purpose and abjure the counsel of women, vanished into the world of spirits, whence he had come.¹

¹ The spirit of such a story is best understood in the words in which it is chronicled :—

"At this tyme the king came to Lithgow, quhair he was at the counsall verrie sad and dollorous, makand his prayeris to God to send him ane guid succes in his voyage. And thair cam a man clad in ane blew gowne, belted about him with ane roll of lining, and ane pair of brottikines on his feitt, and all other thingis conforme thairto. Bot he had nothing on his head, bot syd hair to his schoulderis, and bald befor. He seemed to be ane man of fiftie yeirs, and cam fast forwardis, crying among the lordis, and speciallie for the king, saying, that he desired to speak with him, quhilk at the last he came to the dask quhair the king was at his prayeris. Bot when he saw the king he gave him no due reverence nor salutatioun, but leined him doun grufingis upoun the dask and said, 'Sir king, my mother has sent me to thee, desiring the not to goe quhair thou art purposed, quhilk if thou doe, thou sall not fair weill in thy journey, nor non that is with thee. Fardder, shoe forbad the not to mell nor use the counsell of women, quhilk if thou doe thou wilbe confoundit and brought to shame.' Be this man had spokin thir wordis to the king, the evin song was neir done, and the king paused on thir wordis, studieing to give him ane answer. Bot in the meane tyme, befor the kingis eys, and in presence of the wholl lordis that war about him for the tyme, this man evansched away and could be no more seine. I heard Sir David Lindsay, lyon herald, and Johne Inglis, the marchall, who war at that tyme young men, and speciall servandis to the kingis, thought to have takin this man, that they might have speired farther tydingis at him, bot they could not touch him."—Pitscottie, i. 264, 265.

At the Market Cross of Edinburgh, at dead of night, a herald from the other world, after the form and fashion in which the assemblages of the king's host were proclaimed, summoned by name a muster-roll of the Scots gentry to appear before his master in the other world; and it was afterwards said that the names so called over were all names of persons who fell in the battle that followed, save one who heard the proclamation, and refused on the spot to give obedience to it.¹

The army entered England in August 1513, and encamped in the neighbourhood of the Till and Tweed. The opportunity was taken to pass an Act for dispensing with the usual feudal taxes on succession in favour of the heirs of those who might be slain in the war—it was common to pass such measures after, but not before a great battle.² The Castle of Norham was attacked and easily taken, strong as it was, by such a force, plentifully supported with artillery; and the small Castle of Werk followed.

¹ "Thair was ane cry heard at the market croce of Edinburgh, about midnight, proclameand, as it had beine ane summondis, quilkis was called be the proclamer thair of the summondis of Platcook, desiring all earles, lordis, barrones, gentlemen, and sundrie burgess within the toun, to compeir befor his maister within fourtie dayes, quhair it sould happin him to be for the tyme, under the pain of disobedience; and so many as war called war designed be thair awin names. But whldder this summondis was proclaimed be vaine persones, nicht walkeris, for thair pastyme, or if it was ane spirit, I cannot tell. But on indweller in the toun, called Mr Richard Lawsoun, being evill disposed, ganging in his gallrie, start forment the croce, hearing this voyce, thought marvell quhat it should be; so he cryed for his servand to bring him his purs, and tuik ane croun and kest it over the stair, saying, 'I, for my painit, appeallis from your summondis and judgment, and takis me to the mercie of God.' Verrilie, he quho caused me chronicle this was ane sufficient landit gentleman, who was in the toun in the meane tyme, and was then twenty yeires of aige; and he swore efter the feild thair was not ane man that was called at that tyme that escaped except that on man that appailld from thair judgmentis."—Pitscottie, i. 266, 267.

² This is peculiar as an Act of the Scots Parliament passed on English ground: "At Twesilhauch, in Northumbirland, the 24 day of August, the year of God MDXIII., it is statut and ordanit be the king's hienes, with avise of all his lords being thare for the tyme in his host"—Act. Parl., ii. 278.

These were poor achievements for a great army ; but the next, which was the siege of the castle or fortified house of Ford, was followed by heavy charges against the king. It is said that, fascinated by the attractions of the Lady Ford, he forgot the heavy responsibilities of the leader of a large army, and wasted several days in dalliance. The Scots chronicles describe the character and conduct of the lady with a blunt coarseness that leaves nothing to imagination or suspicion ; and if what they thus say be true, it is easy to believe the further charge that she carried to Surrey, the English commander, all the information she gathered through the spell she cast over her new admirer.

Meanwhile provisions began to run short. Such an army carried no regular commissariat with it. The feudal array, as they were obliged to attend the host for a given period, had also to find their own provisions. The region they were in was barren, and the hostile army gathering on English ground would have defeated the old resource of sending plundering parties southwards. The Scots thus scattered in multitudes to fetch provisions from their own distant homes. Many of them did not return. Thus the great host decreased, but it is reported to have still numbered some fifty thousand. With these the king took up a strong position on the crest of Flodden, a gentle rising ground strengthened by the river Till, a deep stream with high broken banks. With Surrey challenge and acceptance had been exchanged, after the fashion rather of the arrangement of a passage at arms, where all advantages are abandoned, than the preparation for a battle. Surrey sent a herald to remonstrate against the position taken up, as being "more like a fortress or camp" than the "indifferent ground" on which a fair battle could be waged.¹ The herald who brought this got no access to the king, so that Surrey had to take his place and tempt the king to leave his advantage. Descending by the right bank of the Till he reached Twisel Bridge, and there, by a tedious process, brought over his army in a narrow file—a portion, it is said, getting over by an adjoining ford.

¹ Ellis's Letters, i. 86.

The standing reproach against King James is that, as a general, he did not bring his army down by the left bank of the river, and attack the English before they had all crossed and formed on his own side.

He would then have repeated—and probably with like success—the tactic of Wallace at Stirling Bridge ; but the objects of the two commanders were quite different. Wallace's was to save his country by destroying an invading army ; King James wanted a stand-up fight, that he might display his prowess : the one was in earnest—the other, it may be said, in sport. Hence he flung back with scorn the advice of Angus and the other veterans, whose aim had ever been in the old wars to make the most of the opportunity. It is said that Borthwick, the commander of the artillery, besought leave to cannonade the bridge while the English passed, but only got a peremptory refusal. Here, however, it must be remembered that Twisel Bridge is in a straight line at least four miles distant, and probably by any practicable road was six miles distant from the eminence of Flodden ; and if the army did not move down in force it might not have been easy to protect artillery within range of the English army.

Surrey formed his order of battle on the plain called Brankstone, and the Scots descended to meet him there ; whence in the English despatches the battle of Flodden, as it came afterwards to be named, is called the battle of Brankstone. The English are described as ranged in two battles or squadrons, subdivided so as to make virtually four, while the Scots were divided into five.¹

The fighting began at four o'clock in the afternoon of the 9th of September. There was in this battle no one conspicuous false tactic giving emphasis to the result, like the rash charge of the cavalry at Bannockburn, or the array of archers at Halidon. It was sheer hard fighting on both sides, with a general equality ; but there were circumstances which made it in the end tell heavily against

¹ Despatch preserved in Heralds' College, and printed, Pinkerton, ii. 456 ; Calendars of State Papers.

the Scots. For the first time, at least in later warfare, a Highland force fought along with a Lowland, and probably was not handled according to the right method of dealing with such a force, the action of which is not steady, like that of the Lowland spearmen and axemen, but the rapid rush, and immediate retreat if this is ineffective. The rush was beaten back by the heavy columns of the English, and in its retreat brought confusion among the Scots. King James had with him a fine park of artillery, with some guns of calibre unprecedented; but they seem to have been too heavy to be worked by the engineering skill of the day, leaving the English bow as the deadlier weapon. The commander of the Scots artillery, indeed, was killed at the beginning of the battle. The great misfortune, however, was that the Scots were led by a champion bent on feats of personal prowess rather than by a general. The king was in front fighting with his own hand, thus signally justifying what the Spanish ambassador had said of him. With the true spirit of the soldier, the flower of the army gathered round him and took their share in the result of his lamentable blunder. Thus the chief gentry of Scotland were gathered into a cluster for slaughter. Leaders were drawn from their posts, and their followers, left to themselves, were broken and dispersed. Ten thousand of the Scots were reported to the English Court as killed. The king himself fell close to the English commander, to whom he seems to have been fighting his way in the hope of a personal combat. His body was conveyed to Berwick, and thence to London.¹

¹ Much has been said about the discourteous usage to which the body of the Scots king was subjected by his brother-in-law. It appears that a Papal interdict against his taking arms was issued, but had not reached him. It disqualified his body, however, according to the technicalities of ecclesiastical law, for Christian burial. It has been said that even when the Pope removed the impediment, and expressly desired that the body might be laid in St Paul's cathedral, it remained unburied. (See apostolic letter from Pope Leo X., printed in *Theiner Vetera Monumenta*, p. 511.) Stow tells the following odd story in his *Survey of London*, p. 459: "After the battle, the bodie of the same king being found, was closed in lead, and conveyed from thence to London, and to the monasterie of Shene,

From other battles Scotland has suffered more unhappy political results, but this was the most disastrous of all in immediate loss. As a calamity rather than a disgrace, it has ever been spoken of with a mournful pride for the unavailing devotedness which it called out. The soldier has ever one alternative for the protection of his honour amidst the direst disaster—death on the field; and this alternative was cheerfully chosen. It was reported to the Court of England that of the Scots army but one man of note—the Lord Home—remained alive; and long afterwards it was said that you could not point to a worshipful family in Scotland that did not own a grave on Brankstone Moor.¹

in Surry, where it remained for a time, in what order I am not certain; but since the dissolution of that house, in the reygne of Edward the Sixt, Henry Gray, Duke of Suffolke, being lodged, and keeping house there, I have been showed the same bodie so lapped in lead, close to the head and bodie, throwne into a waste room amongst the old timber, lead, and other rubble. Since the which time, workmen there, for their foolish pleasure, hewed off his head; and Lancelot Young, master glazier to Queen Elizabeth, feelinge a sweet savour to come from thence, and seeing this same dried from all moisture, and yet the form remaining, with the haire of the head and beard red, brought it to London, to his house, in Wood Street, where, for a time, he kept it for its sweetness, but in the end caused the sexton of that church to bury it amongst other bones taken out of their charnell."

¹ A late genealogical antiquary already cited, who probably knew more Scots family secrets than any other man that ever lived, has said—"The more I look into any Scottish charter-chest, the more I am sensibly struck; almost every distinguished Scottish family having then been prematurely deprived of an ancestor or member."—Riddell, *Peerage and Consistorial Law*, 1001.

Sir David Lindsay says, in his Complaint of the Papingo:—

"I never read in tragedy nor story,
At ane tournay so mony nobillis slane
For the defence and luv of their soveraine."

Among many mournful allusions to the calamity in Scots literature, the tone of national feeling regarding it was aptly put in an epigram by the poet John Johnson, in his *Heroes Scoti*:—

"Magnanimi heroes—vobis hanc ponimus aram
Hæc cum luctificis tristia signa notis:
Fleunt matros raptos natos, natiq; parentes;
Frater, et in fratris funere multa gemit"

—*Deliciæ Poetarum Scotorum*, i. 691.

The many versions of the old ballad of the Flowers of the Forest

Fame deals generously with those whose end is such ; and in discussing the conduct of the king himself, people thought of the bravery with which he met his fate, in hand-to-hand fighting like a common trooper, rather than of the desolation brought upon the land by his headstrong folly.¹ He was one who pleased the world and bought golden opinions from it, diverting censure from his failings, which were many and flagrant. He was a libertine, and that in a form which was likely to set the fashion in that direction—one of the direst mischiefs which a king can do to a people ; for however self-willed they may be and disinclined to submission, a sovereign can always make himself the absolute lord of fashion. The same failings in his father were dealt with severely and scornfully, and a favourite mistress was bandied among the people by the contemptuous name of the “ Daisy.” This was the result of the sordid and unroyal ways of that king. The son’s mistresses are seen in succession passing in splendour before an admiring people. At the beginning of his reign,

have long been associated in popular tradition with this calamity.— See Illustrations of the Lyric Poetry and Music of Scotland, by William Stenhouse, 66.

The earliest of Scots printers, Walter Chepman, endowed in 1528 a mortuary chapel in the Church of St Giles in Edinburgh, where prayers were to be offered up for the repose of the souls of the king, the nobles, and the faithful subjects who were slain at Flodden.— Laing’s edition of Dunbar’s Poems, supplement, 295.

¹ Hall, the English chronicler, says : “ O what a noble and triumphant courage was thys, for a kynge to fyghte in a battayl as a meane souldier ! But what avayled his strong harnes, the puyssance of hys mightye champions, with whome he descended the hyll, in whom he so muche trusted, that with hys strong people and great number of men, he was able, as he thought, to have vanquished that day the greatest prynce of the world, if he had ben there as the Earl of Surry was, or els he thought to do such an hygh enterpryce hymselfe in his person, that shoulde surmount the enterprises of all other princes. But howsoever it happened, God gave the stroke, and he was no more regarded than a poore souldier, for al went one waye. So that of his owne battaill none escaped, but Syr William Scot, knyght, his chauncelour, and Syr Jhon Forman, knight, his servaient porter, whiche were taken prisoners, and wyth great difficultie saved. This may be a great myrror to all princes, how that they adventure themselves in such a battaill.”—Hall’s Chronicles (1809), 562

while he is yet but a boy, his mistress, Lady Margaret Drummond, comes on the stage conspicuous in her grandeur, to become still more conspicuous in her fate; for she and her sister died together at Drummond Castle, so suddenly and in such manner as to convince all that poison had been at work. But who did the deed, and what was the motive of it, are unanswered questions; and even the rumours and suspicions that flitted about at the time have been long buried. King James had fits of ardent and abject devotion, and when they came on it was supposed that his conscience was troubled by his conduct to his father. His memory was commended to his people by pleasant eccentricities, which have been often told, but cannot be so well rendered as in the words of the chronicler who first described them: "In this meane time was guid peace and rest in Scotland, and great love betuixt the king and his subjectis, and was weill loved be thame all; for he was verrie noble, and though the vyce of covetousness range over meikle in his father, it rang not in himselfe; nor yitt pykthankis nor cowards should be authorised in his companie, nor yitt advanced, neither used he the counsall bot of his lordis, quhairby he wan the heartis of the wholl nobilitie; so that he would ride out through any part of the realme him alone, unknowin that he was king; and would ligge in pure mens houssis, as he had beine ane travellour through the countrie, and would requyre of thame whair he ludged, whair the king was, and what ane man he was, and how he used himselff towards his subjects, and what they spoke of him throw the countrie. And they would answeir him as they thought guid, so be thir doing the king hard the common brute of himselff. This prince was wondrous hardie, and diligent in executioun of justice, and loved nothing so weill as able men and horsis: thairfoir at sundrie tymes he would caus mak proclamatiounes through the land, to all and sundrie his lordes and barrones, who war able for justing and turney, to cum to Edinburgh to him, and thair to exercise thamselffis for his pleasour; sum to rune with the speare, sum to fight with the battle-axe, sum with

the two-handit sword, and sum with the hand-bow and uther exercises, etc. Whosoever fought best got his adversaries weapon delyvered to him be the king, and he who ran best with the speare, got ane speare headed with pur gold delyvered to him, to keip in memorie of his prattick thairintill. By this meanes the king brought the realme to great manhead and honouris; that the fame of his justing and turney spread throw all Europe, whilk caused many errand knyghtis cum out of uther pairtes to Scotland, to seik justing, becaus they hard of the kinglie fame of the prince of Scotland. Bot few or none of thame passed away vnmached — and oftymes over throwne.”¹

¹ Pitscottie, i. 245, 246.

CHAPTER XXXI.

JAMES V.

EFFECTS OF THE BATTLE OF FLODDEN—PRECAUTIONS—A THIN PARLIAMENT—THE FRENCH ALLIANCE—CONDUCT OF THE QUEEN MOTHER—HER MARRIAGE TO ANGUS—ALBANY SENT FOR—HE COMES AND ACTS AS REGENT—HIS INCOMPATIBILITY WITH SCOTLAND—GOES BACK TO FRANCE—SLAUGHTER OF DE LA BASTIE, LEFT BY HIM IN AUTHORITY—INEFFECTUAL ANGER OF FRANCE—STATE OF THE COUNTRY—FAMILY FEUDS—NEW RISE OF A DOUGLAS POWER IN ANGUS—BATTLE OF CLEANSE THE CAUSEWAY—ALBANY'S RETURN—SUSPICIONS OF HIM PRESSURE OF ENGLAND—AN ARMY SENT TO THE BORDER—ALBANY GOES BACK TO FRANCE—BORDER WARFARE—CARDINAL WOLSEY AND HIS SCOTS INTRIGUES—THE FRENCH PARTY AND BEATON—WOLSEY'S PROJECTS FOR KIDNAPPING BEATON—BEATON'S CAUTION AND COUNTER-PLOTS—BEATON'S IMPRISONMENT, AND THE SPECULATIONS ABOUT IT—PROJECTS FOR GETTING RID OF ALBANY—THE "ERECTION" OF THE KING—THE REVOLUTION IT EFFECTS.

WE have no record of any other event creating through Scotland so much fear and grief as this battle. Its specialty was that among its dead lay not only the king, but the natural leaders in all parts of the country. The peerage passed almost collectively into a new generation, for twelve earls and thirteen lords of Parliament were among the dead. The nation, like the army, felt the helplessness of being leaderless, and a powerful enemy was close at hand. An immediate attack on Edinburgh was expected; but when the natural protectors of the city were looked for, they were all gone—the provost and his fellow-magistrates were among the dead. Yet from those who took municipal charge a spirited proclamation

was issued, calling on all able-bodied men to remain under arms, and prohibiting the wailing of women and confusion on the streets. It was in this time of anxiety that a resolution was taken to surround Edinburgh with a wall, like the Continental towns. The wall was built accordingly. Some fragments of it may yet be seen near Heriot's Hospital and the College. Any one who looks at these fragments will recognise what later history tells, the utter futility of such a defence against modern artillery, or even that of the seventeenth century. It was deemed a mighty work in its day, however, and gave a feeling of security to the capital. This wall has had a great influence on the architectural character of Edinburgh. It forced on the citizens the necessity felt in Continental walled towns of building house upon house. As the town was limited in its lateral expansion, it grew upwards.

The danger against which the country was roused—a danger felt as imminent by the city of Edinburgh—passed over in the mean time; Surrey's army dispersed instead of advancing. One cause of this was insufficiency of provisions; but we may also conclude that the immediate advantages of the victory would not have been thus dropped had it not been that the loss suffered by the English army was not by any means so trifling as it was represented to be in the despatches to London.

A Parliament immediately assembled, and a thin house, in which old experienced counsellors were represented by their offspring, emphatically reminded those who were present of the country's loss. It was necessary to appoint a regent, and a guardian to the young prince. It was considered becoming at once to name the queen to these trusts, but this does not appear to have been done with an expectation that the arrangement would be permanent and satisfactory. None could tell what influence it might have on her dangerous and capricious brother—whether it would induce him to foster and protect the country ruled by his sister, or would afford him opportunities for scheming against the national independence. There was a good deal, too, in the queen's own character to check reliance. She gave, indeed, unequivocal evidence that she was of

the same blood as her brother, and especially in an incapacity to remain long in widowhood. In April 1514 she bore a posthumous child. In August of the same year she married the young Earl of Angus. Since she would marry if she could, she probably made the best selection open to her. She found that she would not be permitted to leave the country, and must therefore content herself with one of the subjects of Scotland. Of these Angus was the most powerful, and, what was more to her purpose, he was young and handsome—a new heir, for his father had been killed at Flodden. Whatever may have been anticipated of it at the time, this marriage became, from its after effects, one of the most momentous events in British history. The descendants of the marriage in the male line were kings of England and Scotland. The grandson of the Earl of Angus was Henry Lord Darnley, the father of James I. of England.

Meanwhile the Estates looked for help in their difficulties to a branch of the royal family settled abroad. We have seen how the Duke of Albany, the younger brother of James III., retired to France. The precedents of his exile were not creditable, but they did not deprive him of the countenance of Louis XI. While many Scotsmen of the higher and middle ranks rose to a wealth and eminence in France far beyond what their own country had it in its power to offer to them, a due precedence was given to the blood-royal; and the fortunes of the house of Albany were built up on a scale that was truly princely, even in the magnificent France of that day. The son of the original exile was now Admiral of France, held great territories there, and kept something like a court of his own. At the meeting of the Estates, immediately after the calamity, it was resolved that he should be requested to come to Scotland, and gradually the views concerning him ripened into the opinion that he was the proper person to act as Regent.

The difficulties and perplexities of the times bore heavily on all who took at that crisis the responsibility of action. There was, in the first place, the utter uncertainty as to what the country might expect from England. But, or

the other hand, the relations with France foreboded trouble. The tone of the communications from that Court was passing from diplomacy into something like patronage. Immediately after the battle of Flodden, an appeal had been made to France for assistance to Scotland in her hour of terrible need. It was a critical period, however, for France in her Italian war. Francis I., who began his popular reign in 1515, was competing with Charles V. for the empire; and it was convenient for him to cultivate England, though that power had no direct vote in the election. The connection of France and England became close for a time—Louis XII. was married to Henry's young sister, and a treaty of peace was concluded. The king survived it and his marriage but a few months, but the peace was ratified by his successor, Francis. This peace was distasteful to the Scots. They thought they could see in its details that the French not only acted towards them the part of the patron and superior, but of the correcting and censuring patron. Francis had, without much, if any, formal consultation with the Scots Government, brought Scotland into the treaty as a subsidiary party; yet Scotland was to have this privilege only conditionally on good behaviour: she must abandon the border inroads. The particulars of the stipulation were, that if any inroads on England were made under constituted authority, such as that of the Government or the warden, Scotland's hold on the treaty was forfeited. There was the same result if at any time a force three hundred strong, however commanded, ran a raid into England, unless the Government of Scotland made compensation for damage done. There were no like stipulations for the protection of the Scots side of the border.¹ Their late calamity made the Scots peculiarly sensitive to such a slight; but the French Government was apologetic—represented that a peace with England was then of vital importance, but expressed great anxiety to keep up the ancient league with Scotland.² In a few expressions of mournful reproach, the Scots Estates said the country was

¹ *Fœdera*, xiii. 419, 482.

² Teulet, *Pap. d'État*, No. 1.

still strong enough to hold its own, and needed not the help of France, unless it were given with courtesy and respect. At the same time, the country was unwilling to seem contumacious to its old friend and ally, and admitted the soundness of the argument that Christians should seek peace with each other and combine against the encroaching Turk.¹

In the midst of these things, on the 18th of May 1515, the Duke of Albany arrived at Dumbarton. He was escorted by a brilliant little fleet—an apt bodyguard for the Lord High Admiral of France. He brought with him a band of gay French companions, who were absolutely necessary to make his exile endurable. There was nothing congenial to him and the men he had to deal with in governing Scotland. Had the country, instead of one of their own family, selected a governor from the house of Braganza or of Valois, they could not well have found one so utterly exotic to everything national. It was not only that the habits and manners to which he had been trained were splendid and luxurious, while the Scots lived penuriously and hardily. The forms of ruling to which he had been accustomed were utterly at variance with those tolerated in Scotland; he came, in fact, with the notions of the European despotisms, to govern about the least tamable community in the world.

The little French court he brought with him was not very acceptable among a people shy and proud by nature, and rendered sullen by recent calamity. If there were to be a thought of reciprocity for the brilliant fortunes made by Scotsmen in France, the followers of Albany should have been welcomed and promoted. We have seen how a Douglas got the province of Touraine. His companion, Buchan, was made High Constable—the office next in rank to the blood-royal. A dukedom afterwards fell to the house of Hamilton; and the Scots who held high offices in the army, the church, the bench, and the universities, were countless. But communities act according to their nature, and the one cannot reciprocate in the form

¹ *Fœdera*, xiii. 509.

natural to the other. No people in a sound and healthy condition submits to be governed by strangers, and the Scots adventurers supplied an element that was wanting to the healthy development of the French community. These Scots adventurers had a wonderful capacity for assimilating themselves to the people and the conditions surrounding them, but their fellow-countrymen at home did not take with like geniality to strangers. The luxurious appointments and the courtly polish of the visitors jarred with the homely living and insular reserve of the Scots. It was not now as it had been in the days when the Normans flocked to the court. However the small landowners and free burgesses might dread their rule as it was exercised in England, they set the fashion at court, and were cultivated and imitated by all who were ambitious of social distinction. The long struggle for national life had settled a more isolated and perhaps suspicious character on the people, high and low. They had been accustomed to trust to themselves, and had an aversion to foreigners, even to those who came as friends. We have seen this feeling coming forth in an unamiable aspect when the Admiral de Vienne brought an auxiliary force to Scotland: and now here was another admiral of France, who, though he bore the old national title of Albany or Albin, was in nowise more of a Scotsman or less of a Frenchman than the other.

Still, he was called over in the hour of need by the party predominant in power, and they resolved to support him in all proper authority, only taking jealous care that none of it should pass into the hands of his French followers. The immediate measures of the new regency indicated what is called "a strong government." It was necessary that the royal children should be taken from their mother and her new husband. Commissioners were appointed by the governor and the Estates to receive them from her in the Castle of Edinburgh. She showed them to the commissioners, with the bars of the portcullis between them and the family group, and told them she was to hold the castle in defiance of them. She carried the children off to Stirling, having some reason to believe that

she had a better chance of holding out in that fortress; but a besieging force was sent against it so strong, that she saw the necessity of yielding—and the king and his infant brother were disposed of according to the will of Parliament.

The quarrels throughout the country at that time were countless. There was a general tendency in the combatants to range themselves on two sides—that of the Douglasses or Angus on the one, and that of the Hamiltons, who were now almost becoming rivals to them in power, on the other. But separate disputes, ever seeking a deadly issue, ramified in all directions from this central contest, and filled the country with slaughter. The governor set himself to remedy all by direct force, as he had seen turbulence put down in France. As Pitscottie remarks, he knew not the nature and qualities of the people, “and how Scotsmen cannot bide extreme judgment nor justice;” so that, not finding himself supported to his mind, he sent to France for assistance. Three ships arrived on the west coast with some supplies, and a body of men who would give more ready obedience to his orders than the Scots. This almost created a decided insurrection.¹ A large body of those who followed the banner of Angus assembled in the west. Albany brought such a force against them that resistance was hopeless. We are told, however, that before they dispersed they conditioned for immunity.² But Albany was trained in a school where statesmen learned to deal very easily with such conditions. Angus was seized and spirited off to France. He was kept in restraint, “scarcely knowing what place of the world he was in.” The queen, his wife, managed to make her escape to England, where she bore a daughter; and it was believed afterwards to be in favour of the adjustment of her descendants’ succession to the crown of England that the daughter happened to be born there. Her husband escaped from France and joined her. The Douglasses, who, from an internal power of vitality, ever grew up in renewed strength, even when they seemed to be extin

¹ Pitscottie, 297.

² Pitscottie, 301.

guished, conducted themselves as a sort of independent power, and were wont to give no more allegiance than suited themselves to the King of Scots. So King Henry had in his sister's husband a person who might be put to use for humbling or injuring Scotland.

On others influential in the western rising the regent determined to strike a heavier blow. It was both preceded and followed by incidents eminently characteristic of the times.

We have seen how Andrew Forman, a Scots ecclesiastic, was promoted by the influence of the King of France to the archiepiscopal see of Bourges, in acknowledgment of his services in promoting that invasion of England which ended in the battle of Flodden. He was scarcely seated ere he had to submit to a new arrangement. Pope Leo X. wanted a high ecclesiastical benefice for his nephew. St Andrews had just become vacant, but the result of his inquiries was, that an attempt to force a foreigner and a Papal nominee into that chair would be hopeless. Whether it was that Forman was not yet fully inducted, so that the Papal Court could keep him out of the see of Bourges, or for some other cause, Forman agreed to leave that preferment in Leo's hands on condition of receiving St Andrews. There still remained half the difficulty, since Forman was to be appointed by a Papal brief; but he had friends in Scotland. There were two rival candidates, one of whom was Hepburn, a member of the Bothwell family. He had been elected by the canons, but he resolved to strengthen this ecclesiastical title with the arm of the flesh, so he seized and held the Castle of St Andrews. The dispute was compromised by a distribution of ecclesiastical benefices and temporalities among the three candidates, Forman remaining archbishop. He was one of the Scotsmen of the day who had lost their nationality by living among foreign influences. He became deep in the councils of the regent. It was naturally supposed that his exotic training made him more apt and serviceable as an adviser to such a chief than men of native influence; and we have already seen matters of recent disclosure showing that those who suspected him to be cap-

able of giving evil counsel for his country were not far in the wrong.

At that time the Lord Home was, next to Angus himself, the most powerful of the Angus party. He was the only man of distinction who had come alive from Flodden field, but he escaped without dishonour, having borne himself manfully. This naturally gave him much popularity, as the only living representative of the heroism of the day. He held the court office of chamberlain, and was one of the wardens of the marches, while at the same time he was the head of one of the most troublesome and powerful of the border clans. It has been said that by sending a force of borderers to aid Hepburn in holding the Castle of St Andrews he fell under the hatred of Forman, who sought his ruin. Whether this be true or not, it is certain that Home and his brother, while seeming unconscious of danger, were seized in Edinburgh, tried, and beheaded. There was the form of an assize or jury on the trial; but it was said that the foreigners surrounding Albany were the real agents in the affair.

The regent returned to France after having been little more than a year in Scotland. He pleaded business about the league with France and his own estates. In reality he seems to have been seized with an irrepressible longing to be relieved from the dreary troublesome existence he was enduring, and revive the enjoyable life of Paris. It was with extreme unwillingness that he was permitted to go, and the Estates stipulated that he should return in four months.

He left behind him serious causes of offence. In three of the strongest fortresses—Dumbarton, Dunbar, and Inchgarvie—he put French garrisons. Conspicuous among his followers was the Sieur Antoine d'Arces de la Bastie, one of the most distinguished men of his day for bravery and skill in the lists, and for every kind of knightly and courtly accomplishment. In the histories of the period it is said that Albany appointed him to act as interim governor or lieutenant in his absence. No such appointment could have been made without the consent of the Estates, which would never have been given. It

appears, indeed, that the two archbishops, along with Angus, Arran, Huntly, and Argyle, were appointed as regents. On the only occasion in which La Bastie's name is mentioned as the holder of an office, he is called "guardian and lieutenant within the boundary of Lothian and Merse."¹ From this we may infer that he was a warden of the marches. He would thus hold the office of the martyred Home, a fitting qualification for border vengeance. From the way, too, in which his pretensions are spoken of, it may be inferred that Albany, in the intensity of his ignorance of the jealous nationality of the Scots, had requested his friend to look after matters in a general way, and keep them right in his absence. Any official notices of his transacting business refer to the border, but these notices are of the scantiest amount, as if the records of the day were shy of acknowledging him as a public officer. The treasurer pays the wages of fifteen gunners serving him in the Castle of Dunbar, and the expense of a proclamation issued by him for driving the thieves and broken men out of Tweeddale and Eskdale.²

He was informed that there was a gathering, with fighting and bloodshed, in a family dispute about the possession of the tower of Langton, near Dunse. It was said that the squabble was got up to lure the poor warden into a snare. He came with a small force, expecting that his authority would command obedience, and put an end to the disorders. He soon found, not only that he was scorned, but that it were well could he escape alive from the insulting and menacing figures around him. He fled, trusting to the fleetness of his horse; but, ignorant of the country, he floundered into a swamp, where he was caught and killed; and the chronicles say, that the Laird of Wedderburn, who was a Home, took the dead man's head and hung it to the saddle-bow by the curled locks, which were the pride of the gaudy Frenchman, and the scorn of the rough men among whom he had fallen.³

¹ Extracts from Privy Council Records, Pitcairn, i. *235.

² Pitcairn, i. *261, 265.

³ Pitcottie, 307. The place where tradition says he was killed is

The death in this manner of a distinguished courtier and soldier could not but open serious difficulties with the Court of France. There were, as a matter of course, demands for the punishment of the criminals. These were answered with much fuss and verbal zeal on the Scots side. An expedition was fitted out against the Homes and their abettors with such pomp and display of power that it warned them to escape into England. There was much noisy hunting after the perpetrators, but none of them could be seized, and no one was brought to trial and punishment for the murder of La Bastie.¹

This affair was not the less embarrassing that the alliance with France had just been renewed. The treaty of renewal was deliberately revised, and became a new basis on which other renewals were founded. It conditioned that neither France nor Scotland was to make a separate peace with England; to every treaty for that end they must be partners. When either country was at war with England, the other was to attack England. For Scotland the method of attack was a simple invasion. France, as ally of Scotland in a war, was first to attack the Continental possessions of England, and when this source of war was exhausted by their capture, an invading army was to be sent over, unless England should come to terms. There was a special clause that on England attacking Scotland, France was to send to her ally a hundred thousand *ecus du soleil*, five hundred mounted spearmen, as many foot-men, and two hundred cannoniers, to be franked to the shore

still called Battie's Bog.—Stat. Account, Berwickshire, 254. Owing to the way in which his name was pronounced by his countrymen, he is called in the chronicles Tillibatie.

¹ Teulet Papiers d'Etat, No. 3. It is significant that the only notice of the affair extant in the records bearing on criminal matters is a remission or pardon to one of the perpetrators, in terms which leave no doubt of his guilt. "Remission to William Cokburne, son and heir-apparent of William C. of Langtounne, for art and part of the treasonable slaughter of Sir Anthony Darcese de la Bastie, Knt., guardian and lieutenant within the boundes of Leuthiane and Merse, and for assisting the committers of the said slaughter after committing thereof, and for absconding with them 'red hand,' and for art and part of assisting umquhile Lord Home."—Pitcairn, i. *235.

of Scotland, and then to be in the Scots service and pay. On the other hand, when France was invaded, Scotland agreed to send her six thousand good men-at-arms. Whether or not Albany had the merit of working out this treaty, he was the nominal negotiator of it on the part of Scotland. He engaged to obtain for it the ratification of the Estates within two months after his arrival in Scotland. The Duke of Alençon, for France, engaged to obtain its immediate ratification by his king.¹

The regent, free of such troubles, and enjoying himself in the place he loved, failed to return at his appointed time, and was sharply reminded of his promise, like a truant clerk. The country was indeed in sad confusion. The Celts of the west again came to a formidable head in a rising for the establishment of the old independent dominion of the Isles ; and the only method of repression at hand was by strengthening and encouraging their neighbour and natural enemy Argyle. The chief troubles of the country, however, arose from the efforts of the Angus party to regain their predominance. There was always a little army at the disposal of the Douglas, consisting of border-men who were thoroughly trained to fighting, and thoroughly enjoyed it. They disturbed Edinburgh with a succession of brawls that almost rose to the importance of a civil war. In one of these, which holds a name in history, they were not the assailants. A party of those who might rather be called the enemies of Angus than the friends of the Government sat in conclave in Edinburgh, within the church of the Blackfriars, arranging a plan to overwhelm the Douglasses, who were then supposed to have a weak party in the city, and to make Angus prisoner. Gavin Douglas the poet Bishop of Dunkeld, though he took no share in the contests of the times, naturally desired leniency for the house to which he belonged. He addressed himself personally to Bishop James Beaton, calling on him as a minister of peace to try rather to conciliate than to cause strife. Beaton, laying his hand on

¹ See the treaty at length in Teulet (8vo ed.), i. 4-8. It is not in the 4to edition.

his heart, protested on his conscience that he had no concern with the matter; but his action was so vehement that a slight ring as he struck his breast came from the armour under his vestment, on which the other bishop said he heard his conscience "clattering." In this there was a play on a Scots use of the word "clatter" for an indiscreet betrayal of a secret which it is intended to keep. The Douglasses were attacked, but they were by no means weak: they made, indeed, so effectual a sweep of their assailants from the streets that the affair was called the battle of "Cleanse the Causeway."¹ In this affair Angus slew Sir Patrick Hamilton, Arran's brother—a thing to be remembered by the Hamiltons.²

Angus, after thus driving out his enemies, held Edinburgh by an armed force. As belonging to the committee of governors, he was entitled to act as one having authority; but it is evident that he was seeking supremacy for himself. He seemed in a fair way to find his way to supreme authority, by getting possession of that symbol of power, the royal boy. He had, however, a relentless enemy close at home in his own wife. Whether from jealous rage at his conduct, or because her own affections were wandering elsewhere, she sedulously thwarted her husband's projects as a politician, and proclaimed her hatred and contempt for him as a man, with a vehemence which created public scandal. She exerted herself, along with others, to bring back Albany, who appears to have been reluctant to return. The Lord Fleming was sent to France to fetch him, with instructions, probably among the oddest ever given to a European ambassador. He is

¹ The best account of it is in Pitscottie, 286-289. He says, however, that it "was struken in the yeir of God 1515 yeares," but the preponderance of authority dates it in 1520.

² We find Wolsey, who well understood cause and effect in such matters, saying four years afterwards, "It shall be found a thing right difficile to make a good concord between the Earls of Arran and Angus, considering the Earl of Angus slew Sir Patrick Hamilton, brother to the said Earl of Arran, his own hands, intending also to have killed him [Arran] if he could; which mortal hatred, rooted and imprinted in his heart, shall be hard to be removed."—*State Papers (Henry VIII.)*, iv. 106, 107.

told to pursue "his errands after his memorials meekly and by soft ways;" but if the ways were to be soft, their end was to be obdurately pursued. The fundamental resolution he was to convey was, that if "my lord governor be not in Scotland or midsummer," the Estates are "to declare him unable ever to come to the crown of Scotland in na manner, and to debar him therefra." Also they are to declare him "infame," and take his office of governor from him. Further, they will in such case break with France and make peace with England, and join with King Henry utterly against France. The ambassador is to let the Court of France know this, and show that the evil to come of the loss of Scotland will far surpass any advantage arising from the detention of Albany in France. He is to tell how much Scotland has suffered from England for the sake of the old league—how little has been gained by holding to it. There is a word or two of regret for the risk run by "the auld, lang, and true friendship has been betwixt France and Scotland," and how "it is sore to Scotland to take part with England and treat with England," as she must if the King of France and Albany concur to leave the country without a governor.¹

Albany returned at last, arriving in Scotland in November 1521, after having stayed away upwards of five years on the leave of absence for four months which had been so reluctantly conceded to him. He was so rapturously welcomed by the queen, and the two were for a time so inseparable, that evil conclusions were drawn about their conduct. It might all have been owing to the woman's impulsive nature, and the vehemence with which she pursued the one object uppermost in her self-willed thoughts; but her conduct laid her open to other imputations, and they were freely laid on her.

Albany was more unpopular than ever. He returned with all the odium he had earned on his previous sojourn, and was daily adding to it. He was as thorough a Frenchman as ever, and as blind to the peculiar character of the

¹ Instructions to Lord John Fleming, envoy to France. Wigton Papers, Misc. Maitland Club, ii. 383.

people among whom he was to be chief governor. To such disqualifications for practical rule in Scotland there were added accusations of crime and treachery, meditated, if not actually practised. Early in his former visit the younger prince, the infant Alexander, had died suddenly, and the passage in English history bringing in the reign of Richard III. was ominously pointed at. Thus the king's life was said to be in danger from his machinations. It was remarked that he seemed to be making arrangements for occupying the throne. The style of his establishment was princely. He had, too, in his first visit been very careful to get an Act of Parliament passed which pronounced the offspring of his father's first wife illegitimate, on the ground of the propinquity of the parents. When it might be said that this was only a fair act of the law vindicating his personal position, which it was all the more fitting to accomplish when he was raised to the high office of regent, yet it was thought to argue something further, that, to achieve a matter of personal right for which the ordinary courts were open, he should set in motion the august machinery of the legislature. Those whose suspicions were of milder character gave them shape in projects to carry off the young king to France, and bring him up like Albany himself—a Parisian courtier, and a fit instrument for the conversion of Scotland into a dependency of France; a consummation to which many Scotsmen were looking forward in jealous alarm.

It could hardly yet be said that there was an open English party in Scotland—a party who, independently of personal motives, looked to a close union with England as a better policy for the country than a close union with France, and could contemplate with satisfaction any alliances likely to bring both crowns upon one head. As there naturally must be a policy of acceptance as the converse of rejection, the dislike of Albany and the French connection, ever growing and threatening, might be expected to promote the growth of an English party. The quiet progress of such a political development was, however, suddenly broken by a blow from a rude hand. King Henry bullied the Scots with the threat of war if they did

not drive Albany forth.¹ This at once showed the path of national duty; the country, whatever it thought of Albany, must stand by him for a time at least.

By a diplomatic revolution well known in history, the close friendship with King Francis was suddenly broken, and Henry united with Spain and the Pope against France. He desired that Scotland should adopt the same policy, and expressed his desire in a demand rendered in his own headstrong fashion. We know the form in which King Henry made this demand only as it is echoed in the remonstrance of the Scots Estates. This is a document drawn with great skill and good feeling, and dignified by a spirit of courteous defiance, which sometimes approaches, as nearly as the seriousness of the occasion permits, to polished sarcasm. The remonstrance deals first with a charge that the king is in danger, from a probability that his mother may be married to Albany. The Estates express a sort of well-bred astonishment at the terms in which the king has sought fit to utter his suspicions on a matter that should call for the nicest delicacy of treatment, seeing the royal lady who was their queen was his own sister.² They represent to him that not only had she at

¹ In Wolsey's emphatic language, the alternative was thus put in a letter to the queen: "Fynally, madame, I assure you: grace, the kinges grace woll never dissist to make war unto Scotland, unto the tyme the seid duke shalbe clerely abjected and abandoned by theym, and that they wold take upon theymselves to governour and rewle the realme, and sewe to his highnes for peas, as affor; whiche by theym doon, I have not onely ample and full auctorite to treate upon the same, but also to gif theym assistence of men and money, as largely as of reason they can demaund. Beseching your grace not to bee discontented, though I doo nowe displeasures to suche as do more favour and obey the seid duke then their soverain lord. And as shortly as I shall receive aunswere fro the kinges highnes, I shall with all diligence send the same to your grace."—State Papers (Henry VIII.), iv. 23.

² The strange and strong expressions in the following exordium are evidently the words not of the Estates but of Henry himself, repeated by them: "Ye now understand that the Duke of Albany is here arrived, furnished in manner sounding to hostility and war, taking upon him, as governor, the custody of our said sovereign, and, as ye are informed, has committed the keeping and governance of him to a ne stranger of small reputation, procuring damnably divorce of the

present a husband, but the regent had himself a wife of illustrious family and great domains; and as there was no ground for evil accusations, so was it unbecoming to suppose that there were grounds for the separations that would make the suggested union practicable. In speaking of their reasons for holding by Albany, the Estates seem careful to assert the national independence, without giving him too much benefit by their expression of it. The strength of his position is that they chose him, and are satisfied with his conduct. He has taken nothing on himself to their prejudice, nor has he in any way interfered with their directions relating to the charge and treatment of the young king and the persons to be about him, so that the Estates look on Henry's injurious expressions as employed against themselves, marvelling not a little that his grace should repute them of so small honour, conscience, and "provision," or foresight, as to overlook the security of their natural prince and sovereign. And in as far as the King of England expresses his surprise that Albany had been permitted to leave France, seeing the French king had promised that he would not suffer him to return to Scotland, what promises may have passed between two stranger powers is no affair of theirs, but their treatment of their king is theirs, and theirs only. But if his uncle must interfere, they would take upon them to say that it had better become him to have facilitated the guardian's speedy return to his charge than to have interrupted it, and they end saying: "To the demand, therefore, for his removal they give a plain refusal; and if," they continue, "for this cause we happen to be invaded, what may we do but take God to our good quarrel in defence, and do as our progenitors and forebears have been constrained to do for the conservation of this realm heretofore?"¹ King Henry's threat doubly checked the rise

queen your sister and her husband, intending therethrough to contract marriage with her, whereby our said sovereign lord, as to your grace appears, is in danger to be destroyed, and your sister in point of perdition."

¹ *Fœdera*, xiii. 762.

of an English party. It made it a point of honour with the Scots Estates to support the representative of the French interest; it showed that England was no safe friend, but still dealt in the spirit of dictation, although it came as the angry outburst of a passionate man, instead of the decorous formality of the old claims of feudal supremacy.

It seemed as if the country were speedily to pass from high words to strong acts. There was dread of an immediate invasion from England, and this stirred the heart of Scotland. On a summons by the Estates, a great army was again collected. Nine years had filled the place of the dead at Flodden with a new growth of men. There could be no better evidence of the urgency of the occasion than the greatness of the force. It is said to have amounted to eighty thousand men, to have had forty-five brass field-pieces, and to have been amply and even richly supplied with provisions and munitions.¹ These appliances were no doubt acquired by French money. A commission was issued in September calling out the English array or militia to protect the country from their old enemies of Scotland, who, it was reported, were coming in force to invade England, and burn and destroy as of old. A small force entered Scotland by the eastern border and did considerable mischief; but the bulk of the troops at the disposal of England was in France, and there was no force immediately at hand capable of meeting the Scots army. The Earl of Surrey and Lord Dacre, to whom the protection of the border had been committed, were virtually taken at unawares.

The great Scots host moved towards the western border in September 1522, and spread terror before it into England. Carlisle must fall; and until a strong English army could be assembled, a great force of those Scots so terrible in the traditions of old warfare could do as they pleased. This mighty host, however, did nothing. When it reached Annan, still in Scots ground, Albany was visited by the Lord Dacre. He proposed a cessation of arms:

¹ Documents referred to, Pinkerton, ii. 206.

the offer was accepted, and one of the most powerful armies ever assembled in Scotland dispersed. There is no doubt that this was an escape for England; there was no means of encountering the Scots, and for a time they would have had the game in their hands.¹

Much obloquy has been heaped on this aimless expedition and its leader, and it was compared with "the Fool Raid" of the first who bore his title.² Albany, however, though leader of the expedition, was not master of it, or even of himself. We are bound to believe what the great contemporary historian tells us, that the several feudal leaders of the divisions of the army refused to march into England.³ The question with them was, for what had

¹ Of the manner in which this affair was felt by England we have this account from Wolsey's pen: "Albeit the Duke of Albany, having with him the number of 80,000 men, furnished with 45 pieces of artillery of brass, with 1000 of hackbuts carted upon tressels, with a marvellous great number of hand-guns, plenteously stored with victuals, being within five miles of your city of Carlisle, utterly determined not only to have surprised the same, but also to waste all your county of Cumberland; in the withstanding of whose malicious purpose small or right feeble resistance could have been found there, as well for the weakness of the said city, as that in time there could not be levied nor put in readiness, in those parts, above the number of 16,000 men, to resist the said Duke and Scots, with the slackness and untowardness of such as should repair from other parts for the rescue: yet by the great policy and wisdom of my Lord Dacres, and by means of the safe-conduct lately sent at the desire and contemplation of your sister the Queen of Scots, the said Duke of Albany, by taking with my Lord Dacres, having none authority for the same, an abstinence of war for one month, to the intent that ambassadors might be sent to your highness to pursue for peace, hath not only, our Lord be thanked, forborne his invasion, but also dissolved his army, which being dispersed, neither shall, nor can, for this year, be gathered or assembled again; whereupon, my Lord Steward having advertisement from the said Lord Dacres, hath not only discharged your army by him raised, but also for his sickness and disease is returned home to his house. So that this sudden great semblance of hostility is turned *in fumum et ad nihilum redactum*."—State Papers (Henry VIII.), i. 107.

² In the year 1416.

³ It has become the practice with some writers to disbelieve everything said by Buchanan. Great part of his History is doubtless fabulous, and when he comes to the controversies in which he took

they come to fight? England had made an insulting demand—had dictated that the Scots should dismiss the chief magistrate they had chosen, otherwise an invading army would be sent to crush them. There was no such invading army. To clear away the ground of quarrel, Dacre withdrew the insulting demand. The Scots army had assembled to protect the country from invasion, but there was to be no invasion. The opportunity to strike a blow at England was no doubt tempting, but to what was it all to lead? If Scotland could protect herself it was well, but to keep up an invading army in England was out of the question; it involved the constant supply of invading forces outnumbering the protecting forces of the enemy. Further, it was no longer a gaining policy to Scotland to deal as she did two hundred years earlier in mighty raids—armies that penetrated into Durham or Yorkshire, coming back with an affluent booty, while the English army that tried to punish Scotland for such deeds found bare fields left by the inhabitants, who had carried their goods to the mountains. Scotland had in some measure recovered what she had lost in the War of Independence. In the course of recovering her old position she had become respectable, and having something to lose was not to be an absolute gainer by a war of plunderers. There remained the chivalrous question of fighting to draw England off France, according to the spirit of the old league, but Flodden had left all too strong a lesson against such acts of national generosity; and though they might be taunted with the reproach that their army was supported by French money, the leaders would not risk the national salvation for France.

Were there any chance of King Henry renewing his insulting demand, it was removed by Albany, who again wanted to return to his beloved France. Leave of absence was conceded with a decent show of reluctance, more perhaps to prove that the Estates were not conniv-

part, he was too strong a partisan to be impartial. But he had no cause to advocate here. He was sixteen years old at the time of the affair, and must have known a good deal about it.

ing at Henry's object than for the sake of impeding the regent's departure. In France he might have met his great rival. Angus had found Scotland too hot for him; and not being desired in England, he betook himself to France, where all Scotsmen of position met a hospitable reception.

The unhandsome dealing of England made it be felt that the dispersal of the army was precipitate, however wise it was to abstain from an invasion. The English general had not power to treat about the renewal of the truces; they were not renewed, and therefore the political relation between the countries was war. A force of some ten thousand men from Yorkshire and the counties further north gathered on the border, under Lord Dacre, to harass Scotland, and, as Surrey says in a letter to Wolsey, "do such displeasure on the march that the king's highness and your grace shall be content with the same."¹ The chief project of this force was against the town of Jedburgh, and Lord Surrey was able to render to his sovereign a good account of it. He says: "The town was much better than I weened it had been, for there was two times more houses therein than in Berwick, and well builded, with many honest and fair houses therein sufficient to have lodged a thousand horsemen in garrison, and six good towers therein, which town and towers be cleanly destroyed, burnt, and thrown down."² After the storming of the town and of its fine abbey, Dacre's army had, by his own account, some curious visits from the powers of darkness, for Surrey says: "I dare not write the wonders that my Lord Dacre and all his company do say they saw that night—six times spirits and fearful sights. And universally all their company say plainly the devil was that night among them six times."³ These visitations produced a serious practical result in a stampede of horses, perhaps the most remarkable instance on record of that sort of phenomenon. The horses had been imperfectly hobbled, and a band of them breaking

¹ State Papers (Henry VIII.), iv. 12.

² Surrey to Henry VIII.; Scott's Border Minstrelsy, App. No. 1.

³ Ibid.

loose and galloping past the camp, the archers on duty, taking them for enemy's cavalry, shot at them "above one hundred sheafs of arrows and divers guns." Some of the horses ran into the blazing town and were burnt; enough were caught by the Scots to be a valuable booty, and altogether 800 horses were lost to Lord Dacre's force.¹ Though he brought a strength not to be resisted by a sudden local gathering, Dacre carried away a respect for the prowess of his enemy, saying, "I assure your grace I found the Scots at this time the boldest men and the hottest that ever I saw any nation, and all the journey upon all parts of the army kept us with such continual skirmish that I never saw the like. If they might assemble forty thousand as good men, as I now saw fifteen hundred or two thousand men, it would be a hard encounter to meet them."²

Thus there was war with England still, and the country was in such a condition that French aid might be thought welcome. Albany returned with a French force of three thousand foot-men and five hundred mounted men-at-arms, brought in fifty vessels.³ There were great preparations

¹ We have the benefit of Henry VIII.'s commentary on this incident, and if we knew nothing more about him we might infer from it that he was a generous and kind-hearted man: it is in a letter to Surrey, where he says,—“And as for the loss misfortuned among my Lord Dacre's horses, albeit that, for the tender favour we bear him, we be right sorry that any harm should in any wise come to him; yet, considering that the same grew but by mere chance, whereof our enemies can claim no honour, we reckon your commendable exploit nothing blemished thereby, which chance also might well have happened though they had been in the camp, not without greater commotion and more sudden affray. And, sith also the adventures of the war seldom pass without some mishap, we be well content and right glad that it is rather fallen upon the horses than upon the men; of whose return so whole, with so few of our well-beloved subjects lost, we right heartily thank God, your and their valiant acquittal, with your good and prudent conduct.”—State Papers (Henry VIII.), iv. 46, 47.

² Surrey, *ut sup.*

³ Such is Buchanan's account, which must needs be taken, as he came along with the force, returning home, as he tells us in his Autobiography, to try the effect of native air on his shattered health. Mr Tytler, on the faith of a manuscript referred to by him, says he came with a fleet of eighty-seven small vessels and a force of four thousand foot, to which were added five hundred men-at-arms, a thousand haq-

on the part of England to intercept him, but they failed. He arrived on the west coast near the end of September 1523; it was observed that he touched at the Isle of Arran on the very day of the burning of Jedburgh. It was at the same time a rumour of the day, which passed on to England, that Albany was to be followed by Reginald de la Pole, the grandson of George, Duke of Clarence, brother of Edward IV. He was to come as a pretender to the English crown, and add seven thousand men to a Scots invading army.¹

At the call of the regent, the greater part of the disbanded army reassembled on the Boroughmuir, making a force variously estimated at from forty to sixty thousand strong. England was threatening the country and desolating the border: that was the ground on which they came together. They would cheerfully help to protect the country from invasion; but they let it be known from the beginning that they would not do the work of France by crossing the border and invading England. Instead of heartily welcoming the French auxiliaries, they eyed them with surly suspicion. They knew, in fact, that it was from the French alliance that their country was then in danger. Wolsey was determined to use every available power that his talent, his diligence, and his influence gave him to promote the Spanish alliance and injure France. The withdrawing of Scotland from France would be a great point gained—in fact, it was absolutely necessary for the free action of England against the great enemy. Therefore, though publicly bullying a high-spirited people had been found ineffectual for the desired end, the correspondence of the day shows, and the Scots perfectly well knew, that they should have no peace from England until Albany and the French alliance were got rid of together.² The danger

butriers, six hundred horse, of which one hundred were barbed, and a fine park of artillery.

¹ State Papers (Henry VIII.), iv. 30.

² We have this set forth in the indubitable language of Wolsey: "First, it is to be considered and remembered by his highness and his council, that in all writings and intimations made unto the Scots in this time of the wars, it hath been plainly declared and showed unto

was great. We find the queen giving advice, which was sound as that of an enemy. She recommended Surrey not to waste his efforts on the border; the great lords safe in the interior laughed at the sufferings of the poor people

them, for a final and resolute answer, that the king's grace, who maketh war unto that country, not for any displeasure of the young king, but to compel those who favour the duke and the French faction, suspect unto the life of the said young king, to abandon the same, would never grant unto them any truce or peace, unless the said duke were first expelled and removed from the governance of the said young king's person and realm. Which thing, by your answer now lately made unto the Queen of Scots' former letters, was again largely confirmed; by means whereof, as it is thought, the said duke, who, having up his said army, supposed with a visage to have had his truce at his pleasure, was clearly disappointed of his purpose, and, contrary to his hope, thinking, the truce once attained, to have returned with glory, was compelled to retreat and fly with shame. Wherefore, if the king's highness should now, contrary to the former plain answers made, consent unto a truce with Scotland, the said duke remaining in the same as governor, it might be thought that either his grace were fatigued and wearied by the Scots, or else not able longer to continue the wars in justifying his firm resolution, and answer oftentimes made to them as is aforesaid."—State Papers (Henry VIII.), iv. 60, 61.

A full, clear light is let in upon the condition and movements of Scots politics at this period by the abundant correspondence of Wolsey. We see in his letters not only his enormous perseverance and capacity for labour, but other great qualities. The letters are long, and their explanations very full; and not only so, but sometimes the same ground is gone over twice, with an interval between. The object of all this is to make his view fully known, and leave the person he instructs no excuse for steering any part of his course by his own discretion. But though his papers are long, a kind of picturesque clearness makes them interesting. Those who are accustomed to read old state papers will admit it as a marvellous exception to their general tenor, when it is said that Wolsey never leaves any doubt of his meaning. There is throughout in his style a kind of luxurious dignity, coming apparently from this, that he is an absolute dictator, yet desires to dictate courteously and persuasively, for he was "exceeding wise, fair-spoken, and persuading." It may be questioned if he understood the character of the Scots people; but in the intricacies of their politics and the persons concerned in them he is quite at home, speaking with the ease of a man who by no chance can make a mistake in dealing with them. There is nothing of what politicians call "the monk" in these papers; one may go far in them without finding anything to remind him that the author is a prelate as well as a chancellor. From his employment of scraps of Latin, after the fashion of a pedantic parish schoolmaster, one might question the accuracy of Shakespeare's

there: if he were serious, and wished to do something effective, let him strike a blow at Edinburgh.¹ It was under the pressure of such conditions that the Scots army would consent to march with the French auxiliaries as far as the border.

When the army came to a wooden bridge over the Tweed at Melrose, the Scots determined that they would go no farther. Some of them, indeed, had crossed the bridge, when the matter was considered, and these returned. It appears that the first object of the regent was the siege of Wark Castle. For this it would certainly have been expedient to cross the Tweed by the undefended bridge at Melrose, as he would thus be on the side of the river where his work lay, and be free of any anxieties about the passage. He found it necessary, however, to descend by the left or Scots bank, and cross at a ford. The siege appears to have been conducted almost entirely by the French. They took the outer courtyard, and battered the inner bailey and the main tower with cannon; but when they thought they had made an assailable breach and tried it, they were driven back, and had to recross the Tweed. Thus the fine army gathered round the regent did not even succeed in taking this, a merely baronial castle.²

beautiful phrase, "He was a scholar, and a ripe and good one." But it is difficult to know how far this habit may have been ruled by some wretched conventional court practice of his day; and there is the question whether Shakespeare used "scholar" in the meaning now generally given to the word.

¹ State Papers (Henry VIII.), iv. 26.

² Buchanan, xiv. 22. He was present at this affair, and describes it with an amount of detail a little at variance with the historic breadth of his general narrative. He was then eighteen years old; and he tells us in his Autobiography that he went to have an opportunity of studying the art of war—*studio rei militaris cognoscendæ*. The size of the castle, with its double line of walls, seems to have surprised him, especially the space within the outer wall, enclosing a wide area, in which the country-people took refuge with their effects in time of war. He says that when the French got into this outer court, the English set on fire the barns and straw, and so drove them out. He might perhaps have seen in his own country, castles of which the mere fortress part was as strong, but none which had the less combative appurtenances of a feudal castle on so affluent a scale.

It was late in the season. It was November, with the expedition still inactive, and cold and snowstorms came on, from which it met inglorious losses. Again great odium was heaped on Albany; and there is not much to be said for a general who leads one useless and unfortunate expedition after another—his misfortunes must be attributed to his blunders either as statesman or soldier. The best that can be pleaded for him is that, according to the correspondence of the day, he seems to have daily expected an offer from England for the renewal of the truces. All his motions were closely watched by English spies; Surrey boasted to Wolsey that he had twenty of them at work.¹ He said he was told by one of them that he heard the governor roundly abused for having evaded battle by a gentleman of the Merse, who further charged him that his army had wasted and destroyed all that Surrey had left unswept on the border.² Dacre, writing to Wolsey on the 27th of December, reports, on the telling of one of these "espials," a scene that explains itself, and would be spoilt were it to be told in other words. He had told the cardinal in a previous letter that he believed Albany to be on the point of departure from Scotland, and continues: "So it was, the said duke's ships were all ready decked, lying at Dumbarton, and himself all in readiness, and his gear packed and trussed to go away; and in his going he appointed with the Lords of Scotland to have a council in Stirling with licence to depart, thinking that he should have no stop thereby. And so, when all the said Lords were gathered and set in council there, he desired licence to pass into France for five months, and desired also that they would not condescend to make peace with England without comprehension of France. And the said Lords made the Bishop of Aberdeen attorney to speak for them all. Which bishop, in open audience, made answer to the said duke, saying that they would give him no licence to pass, and if he would pass without their licence, he should be clearly exempted from all his authority in Scotland; and besides, that he should

¹ State Papers (Henry VIII.), iv. 20.

² *Ibid.*, 52.

not depart until such time as he had delivered into the king's hands the castles of Dunbar and Dumbarton, wherein he had put Frenchmen, and all the ordnance and artillery of Scotland. Whereupon the said duke, being in a marvellous great anger and foam, sore against his will is stopped."¹ This was in December 1523. In May of 1524 Albany took shipping for France, and nearly all the foreigners, whose presence annoyed the Scots, either preceded or accompanied him.² He never returned, so that one source of distraction in the political elements of Scotland was removed.

At this time the country, helpless for want of a legitimate head, and distracted by quarrels and unpunished crimes of all kinds, was intensely suspicious even of those who professed to befriend it.³ Apprehensions of the

¹ State Papers (Henry VIII.), iv. 64.

² Ibid. 77 n.

³ The opposition, which, as we shall see, was headed by Archbishop Beaton, protested against the "daily slaughters, murders, reifs, thefts, depredations, and heavy attemptates, that are daily and hourly committed within this realm in fault of justice."—State Papers (Henry VIII.), iv. 316 n. In a letter by Dr Magnus, of whom presently, there is the following expressive account of the condition in which he found the country: "This realm is marvellously divided, so as hard it is to know to whom the king's highness and your grace should most assuredly trust. The queen is counselled by such as are more inclined to the devotion of France than of England, and continually without reason she will be calling upon the king's highness for money. The Archbishop of St Andrews, with his band, is not a little suspect, by occasion of the repairing of the Frenchmen unto him, and for their long continuing at St Andrews, and the good cheer he made unto them, with other considerations afore specified; and as to the lords temporal, there is much division among them; and unless it be the Earl of Arran, they are all poor and of little substance in goods. There is no justice in this realm, but continual murders, theft, and robbery. As things be current and come to my knowledge, so I write unto your said grace."—Ibid., 288, 289.

This is in 1525. Three years later, in a general statement that the advisers of the crown are thieves and murderers, he gives the following particulars in point: "We remembered some of the said young king's councillors, that is to wit, Sir James Hamilton, who did slay the Earl of Lennox, the Sheriff of Heire [Ayr], who also did slay the Earl of Cassillis, the Lord of Buccleuch, who was cause of the death of Dan Carre, Warden of the East Marches of Scotland, and the Lord Maxwell, chief maintainer of all offenders, murderers,

aggressive tendencies of France were suspended for a time ; but this only left the whole suspicions of the nation to rest on Henry VIII. and Wolsey, who were exceedingly active in proffering advice, and more than advice, showing that they had ends in view, and powerful motives for action. Wolsey strove with all his noble eloquence to allay this suspicion ; and the tone of the honest benefactor, whose conscience approves him when encountered by ungenerous distrust, well becomes him. In writing to the queen, for instance, he says to her : " Madam, there is no living man that for the good of peace doth, I suppose, more labour and travail than I have always been accustomed to do. And surely I find the king my master so inclined to entire love and affection towards his nephew, that I have no manner of doubt, if the default be not on that side, such a peace may be had as never was had with Scotland. For the king's grace intendeth not to come into any particular demands with his said nephew, sounding to the prejudice of him, or of his realm of Scotland ; but his highness mindeth so to proceed as a most loving father would do with his good son, and after another sort than kings of England have beforetime done with kings of Scotland. For the proximity of blood is so near between them, that the natural love overpasseth all particular pretences or demands. And both the king your son, your grace, all the nobles and subjects of Scotland, may be sure to find more honour, surety, quietness, well, comfort, and profit at the king my master's hands, than ever they have had or shall have of France, or other region whatsoever it be. Which things, madam, ariseth of no benefit that the king my master desireth or looketh to have of Scotland, but only of his gracious disposition and

thieves, and others, daily procuring and seeking ways and occasions to the breach and rupture of the peace between both the realms ; by means of which misruled persons, and of Harry Stewart, now married to the Queen of Scots, the said Earl of Angus is attainted, as consequently by all likelihood shall be other the noblemen of Scotland, for want of good counsellors about the said young king, to his own no little danger, jeopardy, and peril in conclusion, if that the counsel of his dearest uncle the king's grace be no better followed."—*Ibid.*, 526.

entire love towards his said dearest nephew and your grace."¹

Whatever course they might be prepared to take if their designs were thwarted, the immediate objects of the headstrong king and his scheming assistant were not then in the direction of establishing the old superiority, or otherwise humiliating Scotland. All that Wolsey wanted was to gain Scotland from France for the furtherance of his own great project. In the correspondence it was often noted that King James stood in fair likelihood of being king of both countries. A project for marrying him to "the Lady Princess," as she was called—Mary, afterwards Queen of England—was proposed on the part of England, apparently in all sincerity. To reach objects, however, which in the end were fair and beneficial to Scotland, there was no hesitation in treading crooked paths. Wolsey had an instinctive suspicion of the two Beatons—one of whom was to win a cardinal's cap, and to gain a political eminence not unlike his own.

The elder Beaton, apart in his Castle of St Andrews, has a history of his own. What was outwardly known about him was, that he played a separate game from the other parties. He was not for England, nor had he so committed himself to the French interest but that he might be gained for England. But how to reach him was the difficulty. He was Primate and Lord Chancellor; but what gave any reality to these high offices was, that he possessed the strong Castle of St Andrews, on a rock jutting into the sea. There he intrenched himself, and became unapproachable, save to those whom he chose to receive. These were more numerous and important than the maintainers of the queen and the promoters of the English policy liked; but what was done in the secret conclaves within the fortress was a dead mystery. An incident occurred to enhance the curiosity and suspicion already at their highest tension. In the winter of 1524 there arrived, as Magnus, with whom we shall presently make acquaintance, reported to Wolsey, two galleys from France

¹ State Papers (Henry VIII.), iv. 94.

They came, so far as this spy could ascertain, partly from Albany, partly from the Government of France, as an embassy. But instead of attending Court they swept on to St Andrews, and joined a conclave of the Scots lords there assembled. What rendered the affair the more exasperating and anomalous was, that with them came over David Beaton, the archbishop's nephew, ambassador accredited to France from the Court of Scotland; and he too, instead of proceeding immediately to Court to give an account of his mission, passed on with the strangers to St Andrews—so at least says the English resident.¹

Magnus appears to have written to the archbishop, closely questioning him about the matter, but Beaton turned off the assault with the graceful ease of a master in diplomacy. It was Yule or Christmas time, the period of hospitality, and he was doing his best to entertain his friends. He would have been delighted to see Magnus himself among them had he been able to come, which the hospitable archbishop takes for granted he was not. No doubt if his relation delayed reporting the result of his mission at Court, that was an irregularity, but it was his own affair to excuse as he might. And then as to the Frenchmen—why, he knew nothing about their coming till they “knocket at the yet,” or knocked at the gate, while he was at dinner, and he could not but receive them with such hospitality as he could command.² There were various attempts, complimentary and threatening, to get him out of his stronghold. He was called to council meetings as one whose advice was of moment to the administration of affairs. His duty as a statesman, and the

¹ This David Beaton was afterwards the too celebrated cardinal. In this his first entry on history, he is not announced in a dignified shape. Magnus calls him “Mr Davy Beton,” and says: “The said Mr Davy, albeit he were ambassadour for the King of Scottes in France, ymmediately after his commyng to Dombur, withoute aither doing his duety to the kinges grace here, or to the quenes grace, departed from thennes, and went streight to the Archbusshop of St Andrewes.”—State Papers (Henry VIII.), iv. 277.

² State Papers (Henry VIII.), iv. 282.

sore need of those who wanted his help, were pleaded—but he came not. He was equally callous to citations of a more threatening character. The queen professed to deprive him of his office of chancellor, but it was not given to another until Angus got the command of the country, and the dismissal seems to have made no difference to Beaton. In the midst of the noisy and ferocious troubles of the times, there is something sublime in this subtle spirit standing apart shrouded in silent mystery. Wolsey was tempted against Beaton's negative craft to practise his own active craft, but to no purpose, except to leave one of the most curious little stories of subtle and treacherous diplomacy on record. As Norfolk said, in writing about Beaton to his master, Wolsey, "The said chancellor is very crafty and subtle;" and, as we shall see, he needed all his craft and subtlety.¹

It was suggested, on the part of England, that a "diet" or conference should be held on the border by commissioners from both countries, who should deliberate on the best means of putting an end to the ceaseless strife between them. It was further suggested that it would promote the object of such a conference, if on the side of Scotland it had the benefit of the sagacity of that eminent statesman the chancellor. Beaton, however, true to his negative policy, would not go to the border, offering what Wolsey calls "certain vain and frivolous excuses." Lord Norfolk having reported to Wolsey this defect in the programme of the conference, got in return an emphatic rebuke for not having been acute enough to see what was meant by the profession of a diet. There was no serious intention of treating with Scotland in such a manner. The object was to get Beaton into English ground and kidnap him; that having fallen through, no conference is to be held. But Wolsey's explanation cannot be told so distinctly as in his own words, which are these:—

"My lord, ye know right well that the practice set forth for the said diet was never meant nor intended on this side for any communication of peace which the king's

¹ State Papers (Henry VIII.), iv. 85.

grace would or thought should have been had in the same; considering it were not meet nor honourable that his grace should condescend to any such diet with the Scots; but it was done only with the intent under that colour to have intercepted the said chancellor by means of the Earl of Angus, whereby he, with all his adherents, should the more facilely have been induced or compelled to condescend to the erection of their king and the extincting of the Duke of Albany's government—being the principal things which the king's highness goeth about touching the affairs of Scotland. And therefore, considering that the said chancellor, either percase suspecting the danger of such interception, or otherwise, is not, as it seemeth, minded to come himself into the said diet, it is not the king's mind that either ye or any other person shall on this part observe or keep the same."¹

Norfolk is then told how he must get gracefully out of the affair. He is instructed to take huff at the chancellor's reserve, and to declare that there is no other person in Scotland sufficiently eminent to meet him, so that the conference must fall through. It may interest the ethical philosopher to know that certain limits were set beyond which treachery must not go, even for the desirable end of catching this archbishop. Wolsey was ashamed to send him a safe-conduct. "I send you," he writes to Norfolk, "no safe-conduct for the chancellor or other; for if the chancellor will come—in which case the king's mind is that ye set forth the practice for his interception—it were not convenient he should have a safe-conduct, but to be trained by other dulce and fair means thereunto."² For this it occurs to him that feminine subtlety will suit best, so he thinks Queen Margaret will prove "the most propice and convenient instrument in this matter." She is to be induced to give her aid "by all good ways possible, pretending that nothing shall be wrought but only by her means." It were perilous and dangerous really to depend on her, though she may be flattered to give her aid. The solid dependence must be elsewhere; "it is not folly for a good

¹ State Papers (Henry VIII.), iv. 86.

² Ibid., 88.

archer to have two strings to his bow, especially whereas one is made of threads wrought by woman's fingers."¹

Wolsey's next plan for getting hold of Beaton was to have him sent as an ambassador from Scotland to Henry's court, and when he was there to keep possession of him. However it might affect the country, it was not intended that this project was to be prejudicial to Beaton's own fortunes; but again it is best to let Wolsey set forth his plan in his own words. He informs Norfolk, that "there be things set forth, not only for putting of the noblemen of Scotland in perfect assurance of the king's benevolence, assistance with puissance, counsel, and aid for the maintenance, increase, and supplantation of their young king in his estate and authority royal, but also ways and means devised to cause the chancellor to be sent hither in ambassade, by means whereof he might by good offers be drawn into the king's part and devotion, or else be detained here, *ne noccat ibi*."²

To bring over Beaton himself to this project was a special task for Wolsey's persuasive pen. What he wrote we unfortunately have not in substance, but we have his own account of its tenor and hidden object, rendered with something like a chuckle over the ingenuity and cunning that inspired their author. He is still writing to Norfolk.

"Right expedient shall it be that ye ponder the cause of my tender writing to the chancellor, which, to be plain with you, is not to advance his authority, or for any love, trust, or credit which the king or I beareth towards him; but fearing lest the queen, and such as have taken part with her in the erection of the young king, be not of power and puissance utterly to subdue the said chancellor; nor also, whether the Earl of Angus would, might, or were able to do the same, is certainly known. Therefore, I have written such kind letters to him to allect, induce, and train him to come hither in ambassade for conclusion of peace between both realms; which doing, experience may be made to get and win him into the king's devotion, or, that not attained, at least he may be kept here, whereby

¹ State Papers (Henry VIII.), iv. 88.

² Ibid., 109.

he shall do no hurt there. And this is the cause only of my pleasant writing to him ; where, if the means might be found to set him up in some strait custody, amoving and expelling him from all authority and doing there, it should be more acceptable to the king to have it done to-day than to-morrow. And in that case no such sending of him hither in ambassade is to be experimented or requisite."¹

If he could be caught, imprisoned, and stripped of his power, there would be no occasion to send him on an embassy to London. It is clear that the chancellor was right in letting neither threats nor flattering offers draw him beyond the walls of his strong castle in St Andrews ; for there was yet another project for getting him into England. For this project preparation seemed to have been made in Scotland. Beaton was tempted to leave his stronghold to attend the Parliament held in 1524. By that Parliament, as we shall see, a revolution was accomplished, and Beaton was imprisoned, along with his partisan Dunbar, the Bishop of Aberdeen, and some others. They were only detained for a short time ; but on hearing of their capture Wolsey wrote to Norfolk in high exultation. He hopes the bishops shall never be released ; but to make sure work, and effectually defeat all machinations of their friends in Scotland, he proposes that they be sent to Berwick, where they may be dealt with by the English Government. "It is thought unto the king's highness, me, and others of his discreet council, that a more sure, honourable, and substantial way cannot be devised, than that the said two bishops should be, by the Queen of Scots' means, with assent of the king her son, in most secret manner sent, without any tarrying or tract of time, with a convenient custody, unto the town of Berwick."

Wolsey seemed to think that this proposal required a good deal of support from his persuasive ingenuity, and so he sets forth at length six reasons in its favour.² Norfolk

¹ State Papers (Henry VIII.), iv. 110. It has been inferred, apparently from this letter, that Beaton was offered the interest of Henry and Wolsey to get him made cardinal, if he would help the English policy.

² "First, it should be a great and high reputation to the authority

is therefore to write to the queen, who has the ascendancy for the moment, "that, for the considerations before specified, the sending of the said two bishops unto Berwick is in nowise to be pretermitted, which thing is so to be handled that no person living be made privy thereunto but such as be most secret and shall have the doing thereof; which, by the Lord Maxwell with the guard, or part of them, may facilely be brought about, and the said two bishops to be in Berwick before it be known in Scotland. For, if there be tract of time in it, and either that matter known or suspected abroad, it shall be more difficle to bring it to pass. And if need be, ye may so provide and order that the said two bishops, put into habits dissimuled, and secretly in a night conveyed and conducted, with a sufficient company, part of the way towards Berwick, may be met by some persons by you to be appointed, and so brought the residue of the way in surety."¹

of the said queen; secondly, it should induce terror to any man, of what estate or degree soever he were, to impugn or impeach either the king her son in his own government, or her, and such other as now do rule in their authority; thirdly, by mean thereof all doubts of practices to be made by any friends of the said two bishops should be avoided; fourthly, the Duke of Albany, hearing thereof should never dare arrive in Scotland, although he were coming unto the shore of the same; fifthly, in case any chance should fortune in Scotland, adverse or contrary to the said erection and government, procured by the friends of the said two bishops, or any of the faction of the Duke of Albany, they being in Berwick might always be compelled, and would be glad to write for the ceasing and extincting of any such contrarious thing, in avoiding the danger which else themselves should be in—so as, if all other refuges or helps failed, that, in extreme necessity, were a perfect sure way to repress any attempt that might be made against the said king and queen and their government; and, finally, they being so minded, and writing unto the king's highness and me for that purpose, they shall not doubt but that such means shall be found that the said two bishops shall be totally deprived of their dignities and promotions, which then may be conferred and given unto such assured and substantial persons as the said king and queen shall think good. This high estimation growing hereby unto them, the surety that the said king and queen shall be in by reason hereof, and the fear and terror which the Duke of Albany and all other his friends shall be in by reason of the same, is highly to be regarded."—State Papers (Henry VIII.), iv. 122, 123.

¹ Ibid., 123.

Thus we see that Wolsey, when he had an object in view, was not easily turned from it by failure, and did not stick at trifles. There was another design in his mind at that time, which he found still more impracticable, because it was crossed by the loves and hates of a self-willed woman. The queen had taken to the youth who was to be her third husband, and hated her existing husband, Angus, with such intensity of hatred as only such domestic conditions can nourish. For no promises, or soothing, or threats, would she undertake not to make deadly war against him if he entered Scotland. It was in vain that Wolsey pleaded the welfare of her country, the safety of her son, her own safety and good repute—all went to the winds. At last he bethought him of setting the two difficulties—the return of Angus and the possession of Beaton—against each other. He threatened that if the queen would not send Beaton to Berwick her husband should be let loose on her. But it was not in her power to accomplish Wolsey's wish with her own hands, and those about her would not dare to do a thing so unconstitutional, even if any of them were inclined to it. The interference of foreigners in their own affairs, and the putting their own people at the mercy of strangers, were two things so odious in Scotland that they were not to be mooted. Among all the evil deeds charged against Albany, the most monstrous was that, by the assistance of his French agents, he had got Angus carried off to France. So Norfolk wrote to his master in the following unmistakable terms about the Berwick project: "Came hither my servant Hals, and hath showed me that the queen doth say, that in no wise she dare send the said bishops to Berwick; for, she asking the opinion of all the lords thereof, they answered precisely they would never consent that any Scottishman should be sent into England for offence done to their sovereign lord, and bade my servant take it for a resolute answer she would not send them; for if she should, all Scotland would grudge against her, which undoubtedly hath great appearance to be true by that I have heard and have been advertised of by divers other Scotsmen that I trust

very well."¹ The project had to be abandoned, and Beaton was soon at freedom again.

The being round whom all this entanglement of intrigue and quarrelling centred was the poor boy called King of Scots. He was then in his thirteenth year—old enough to feel the unhappiness of his destiny, which was to be cast among so many jailers, tearing him the one from the other. It is pleasant to find that a touch of maternal feeling seems to soften the evil nature of his mother when her projects deal with his disposal. "I assure you, my lord," she says to Surrey, "that of his age I trow not there be in the world a wiser child, nor a better hearted, nor that dare better take upon him in so far as he may; but he wants nothing but help to bear him forth in his good quarrel. And I assure you, upon mine honour, that he loves not the governor nor no Frenchman, and the king my brother will find an his grace make him help. And as to his coming forth at freedom, he will not bide in no longer than Monday come eight days, without he be holden perforce by the lords; and that he saith plainly that no good Scotsman will hold him in a house against his will; whereof the Frenchmen that are here are right displeased."² Then, as indeed throughout the Scots state correspondence of the years 1523 and 1524, the chief object is what was termed "the Erection" of the king—an acceptance of him, boy as he was, by the Estates as their monarch, no longer represented by a guardian or governor. This was believed to be the most effectual way of checking the French party, and securely providing against Albany's return; and it was a plan especially commendable to those who, knowing that the boy could not do the duties of his station undirected, expected to rule in his name. Hence the French agents and their friends were against the project. It had gone so far in September 1523, that Surrey, writing to Wolsey, tells him, in the words of a sure informant: "Notwithstanding all the persuasions that the said Galtier can use, and the great gifts in money that he promises, and also the promotions of benefices, that he believes that a

¹ State Papers (Henry VIII.) iv. 147, 148.

² *Ibid.*, 4.

good number of the lords will consent to the taking forth of the king. And he showeth me undoubtedly that the young king saith that for no man he will be any longer kept within a castle, but will be at his liberty, and that one realm shall not keep him and the duke; and that with a dagger he hath stricken a gentleman about him through the arm because he did contrary his opinion, and would have stricken the porter with his dagger because he would not suffer him to go out at his liberty."¹ We have a parliamentary squabble a day or two later about the question of freedom or restraint, which is compromised by a resolution that the Earl of Cassilis and three others "shall have the keeping of the king, and ride with him where he will, so that they bring him into Stirling at the night;"² and the queen complains to her brother that this riding "where he will" is restrained to a circuit of a mile round Stirling.³

The "erection of the king" was an object which Henry VIII. and Wolsey had much at heart, as a blow to the French influence; but they were taking the wrong way to accomplish it by the harassing war on the border. One Sunday, in the spring of 1524, a stealthy but decided step was taken towards the erection. Sir William Bulmer wrote to Wolsey that an Observant—the father of the Observant Friars of Jedburgh—had requested permission to preach in the church of Norham, on the English side of the Tweed. This was granted, and he preached "a good sermon." This father of the Observant Friars, or superior of the Franciscans, was one of the Homes—a brother, it would seem, of the two who had been executed—and therefore not likely to bear much goodwill to Albany and the French cause. Bulmer's sagacity suggested to him that something more was meant than the preaching of a good sermon, and he was right. In the course of conversation with the Observant, the feeling of the young king towards his uncle came up. The Observant declared that he knew it to be good. He praised the boy's sagacity, and at last ventured to say that if Henry should

¹ State Papers (Henry VIII.), iv. 13. ² Ibid. ³ Ibid., 15.

write to his nephew to the effect that if he were to declare himself independent, and take up his rule, favour would be shown on the part of England both to the young king himself and to those who backed him ; he, the Observant, believed that the young king would act on that advice. Bulmer asked the Observant whether, if such a letter were written, the queen ought to see it : he thought not. Bulmer next asked whether, if such a letter were written, the Observant would take upon him to deliver it. The answer was, "Yea, he would take upon his conscience to do that thing which might be for the weal of his prince and his realm." "And so," says Bulmer, "if it please the king's highness and your grace to write to the young king, I trust he will convey it, for I suppose it was his errand."¹

The consequence of this meeting was that a letter from Henry VIII. to his nephew was put into the hands of the Observant friar, and found its way to its destination. The project for "the erection of the king" was now zealously pressed. His mother was not excluded from it, as the friar had suggested ; she was the chief agent in carrying it out. It was announced to all concerned in Scotland that Henry would be liberal to those who might aid the project ; that indeed there were no expectations within reasonable bounds which he was not prepared to satisfy.²

¹ State Papers (Henry VIII.), iv. 76.

² "As hereunto, first, my lord, ye may, in the most faithful and sincere manner that ye can possibly write or devise, assure the said King of Scots, on the king's behalf and semblably the queen, and the Earl of Arran, or any other taking their part, that they shall really, actually, and with all effect, have perfect and undoubted assistance to the uttermost, as well of the king's main power, if need be, as of counsel, address, money, men, or otherwise ; and for that purpose only ye be coming unto the borders, ready to accomplish with deeds all such things as hath been spoken or written in that behalf, and as much as they can reasonably desire ; like as the king's grace, by his special letters, which, for the brief expedition of this post, could not be ready in so short space, the copies whereof ye shall receive at this time, will not fail often to assure them, in the word of a prince, whereunto they may perfectly trust, as the experience shall manifestly prove, declare, and show. And to the intent that nothing be pretermitted which may be for the comprobation hereof, the king's highness, perceiving that the young king is not best furnished of money, will that ye, by some trusty

The result was, that one day in August 1524 the king was conveyed from Stirling Castle and entered Edinburgh in somewhat of a triumphal fashion, attended by his mother, and those lords who specially desired to be committed to the affair. He publicly took his place at the head of the assemblage, with "sceptre, crown, and sword of honour," in the old Tolbooth. This event was called, in the diplomatic correspondence of the time, "The Erection." It effected little more than a change of residence to the royal boy, who was but twelve years old; but it was in reality a revolution, since it gave occasion for superseding the regency of Albany, and might prove a blow to the French party. A considerable body of the leaders in the Estates signed a bond to stand by the young king and the Erection.¹ In November the affair was confirmed and put in shape by Act of Parliament. It was declared concerning John, Duke of Albany, "that he had not returned on the expiry of his leave of absence to resume his office of

and good means, do surely send unto the same young king the sum of one thousand nobles, and to the said Queen of Scots the sum of two hundred merks, and to the said Earl of Arran the sum of one hundred pounds, showing unto them that it is but a commencement and beginning for demonstration of the king's entire mind in the premises. And his grace will also send with diligence to the said young king some clothes of gold and silk for a remembrance, besides daily presents and gratuities that shall come hereafter. Ascertaining you that proceeding undelayedly to this erection, without abiding counsel, ceremony, or advice, which may be the total disappointment of all the enterprise, they shall lack no money or other thing; like as the king's pleasure is that ye shall by your discretion." Further: "And as it should seem, by the letters of the Queen of Scots now sent, the Earls of Arran and Lennox hath been very diligent herein, and hath deserved great thank and reward, wherefore it is the king's pleasure that ye not only give unto the said Earl of Lennox a competent reward after his deserts, but also, if ye shall think the hundred pounds assigned to the Earl of Arran to be too little, ye do increase it to a greater sum, as by your discretion shall be thought convenient. For now in this beginning one groat well employed shall be to better purpose than twenty hereafter; and upon demonstration of liberality at the beginning they shall be in the better hope and the gladder to continue in their good minds."—Wolsey to Norfolk, State Papers (Henry VIII.), iv. 90, 91, 97.

¹ Printed by Pinkerton, ii. 473.

tutory, but had abused and neglected the same, to the great hurt and scaith of our sovereign lord and his subjects ; wherefore it is statute and ordained that our said sovereign lord shall use and exercise his own authority, and have the full use and governance of his realm, lieges, and subjects in time to come, by advice of his said dearest mother the queen's grace, and lords of his council." ¹

The matter was explained to the King of France in "honest letters," as the Estates termed them ; and a becoming epistle from the young king full of gratitude was signed by him and sent to his uncle, Henry VIII.

¹ Act. Parl., ii. 286.

CHAPTER XXXII.

JAMES V

(Continued.)

MENACING ATTITUDE OF ENGLAND—MISSION OF RADCLIFFE AND MAGNUS TO SCOTLAND—THEIR EQUIVOCAL POSITION—AN EMBASSY FROM SCOTLAND DESIRED IN RETURN—THE YOUNG KING—THE FRENCH PARTY—UNPOPULARITY OF THE ENGLISH EMISSARIES—TREATY WITH ENGLAND—TAMPERINGS WITH THE NATIONAL PRIDE—THE QUEEN-DOWAGER'S DOINGS AGAIN—ANGUS RETURNS FROM ENGLAND—HIS STRUGGLE FOR POWER—HIS SUCCESS—GETS POSSESSION OF THE KING—THE KING RELEASED—WAR WITH ANGUS—HIS FALL—PARLIAMENTARY FORFEITURES—ECCLESIASTICAL AFFAIRS—MARTYRDOM OF PATRICK HAMILTON—CONFLICT WITH THE BORDERERS—POWER AND INFLUENCE OF THE ARMSTRONGS—THEIR TREATMENT—ITS BAD EFFECT ON THE CONDITION OF THE BORDERS—THE WESTERN HIGHLANDS AND ARGYLE—ATTACKS ON THE ARISTOCRATIC HOUSES—ANGUS AND OTHERS BECOME ADHERENTS OF ENGLAND—THEIR PLOTS AND PROMISES—INVASION OF NORTHUMBRLAND—NEGOTIATIONS FOR PEACE WITH ENGLAND—DIFFICULTIES—NATIONAL PRIDE AND FRENCH INFLUENCE—COMPLETION OF THE PEACE.

THAT the revolution which had just been accomplished boded no good for Scotland is rendered all too clear by the satisfaction with which it was received in England. Wolsey, looking upon it as his own handiwork, pronounced it good, expressing his own and the king's high approval of every stage of the transaction, in that copious and clear eloquence of which he was a master.¹ King Henry con-

¹ He writes to Norfolk: "I have received your letters, dated at Berwick the 7th day of this instant month, with sundry letters, articles, and other writings sent unto you from the Queen of Scots, a letter of

tinued to be liberal to those who had helped in the Erection and were likely to support it. He amply supplied the demands of his greedy and extravagant sister. He supported also 200 men-at-arms to act as a body-guard to his nephew—that, Queen Margaret said, did her and her son great pleasure and profit, preventing evil being done that otherwise would have been done.¹

While Scotland remained the ally of France, all these transactions were yet but a means to a farther end, which Wolsey, in his clear emphatic way, calls “the exclusion of the Duke of Albany and the French faction, and the training of the realm unto the amity of England.” This object was sedulously followed up, and the great cardinal made himself so busy about it, that, had he nothing else on his hands, his Scots correspondence alone would stamp him as a hard worker. At this distance we can in many instances only judge of the importance of some of the points by the extreme anxiety of Wolsey and other great statesmen to carry them. The aspect of England was still that

the young King of Scots directed unto the king's highness, and one to you from the Earl of Arran, with the copies of certain answers by you made to the said queen. All which I have showed, read, and declared unto the king's grace, who, I assure you, taketh right acceptably and thankfully the kind and loving letter of his dearest nephew, the said young king, being so well couched, and to so good purpose, that verily it hath much confirmed the king's tender and benevolent mind towards him. His grace and I like well also the instrument of the faithful promise and oath made unto the said young king by sundry of his lords and other noblemen, spiritual and temporal, from the which none of them can decline without their extreme dishonour, shame, and reproach; perceiving well that the Queen of Scots hath very discreetly, prudently, and substantially acquitted herself herein; for the which she deserveth great laud and thank, like as both the king's highness and I, by our letters sent unto her at this time, the copies whereof ye shall receive herewith, do give her thanks accordingly. Which letters, with others such as be now also sent, that is to say, one from the king's grace to the King of Scots, another to the lords spiritual and temporal of Scotland that have taken the queen's part in this Erection, and one of mine to the Chancellor of Scotland; the copies whereof, with an answer subscribed by me to the Queen of Scots' said articles, I also send unto you herewith, shall be a good riping and information to you for knowledge of the king's mind and pleasure in those affairs.”—State Papers (Henry VIII.), iv. 104, 105

¹ Ibid., 115.

of threat. There was no peace, not even a continuation of the truces. The "abstinence from war" was merely continued by renewals, generally lasting for a few weeks at a time. But it was earnestly desired on the part of England that a solemn embassy to treat of peace should come from Scotland. On the side of England there is a kind of irritable anxiety that this embassy should come, and a chafing at several things that appeared to interrupt it. Among these, for instance, was a threat by Queen Margaret, that if her husband Angus were let loose upon her she would hinder the mission of the embassy; while from the other side there was a retaliating threat that if the Earl of Arran continued to put interruptions in the way of the embassy, Angus would not only go to Scotland, but take with him an English force.¹ Then came threats that if the ambassadors are not sent, King Henry will not renew the abstinence from war—in short, the Scots were to be cajoled or forced into an act which is supposed to take all its significance from its being a matter of spontaneous courtesy.²

Wolsey gives us traces of a curious subtle policy about this embassy. Two Englishmen were sent to wait on the borders for orders to take service in Scotland. Their names were Magnus and Radcliffe. Magnus, who was in priest's orders, was the real agent, the other merely his assistant. Both were trained to diplomacy, and men of ability; and though they were gentlemen, they were not of the class from which ambassadors would be chosen. These men were to remain on the English side of the border, and when the embassy from Scotland passed them on its way to London, then, and strictly not till then, they were to pass to Edinburgh and present their credentials as representing the Court of England. Yet they were not to hold rank as ambassadors; and the winning of the small game played by the cardinal was to be in this, that Scotland sent ambassadors to England, but England did not pay the same compliment to Scotland. We shall see that the cardinal was outwitted in this, probably by his subtle

¹ State Papers (Henry VIII.), iv 183 and 196.

² *Ibid.*, 200.

antagonist the Scots chancellor. His design is chiefly notable as continuing a sort of traditionary policy of the English Government, never to let slip any opportunity for making Scotland appear to act as if her Government held a rank inferior to that of England. Though the subordination might have no immediate influence, and might indeed be a mere technical matter, escaping public observation, yet it would stand on record as a precedent to be employed when the occasion came.

Wolsey, in the letter to Norfolk in which he carefully notes that these two men are not to be ambassadors, gives this very expressive account of the work before them: "Inasmuch as the king's highness, by sundry your letters and the reports made unto you, understandeth that there be divers things wherein wholesome admonition and exhortation is to be given to the Queen of Scots, as well for her own honour and surety as for the weal of the young king her son, and the good order of his affairs in avoiding the manifold dangers that might ensue unto them, in case things now being amiss should not be prudently and with speed reformed; the king's highness, as well for that cause as to entertain the young King of Scots with pleasant and loving manner, is determined to send unto him with all convenient diligence, to reside in his court, his trusty chaplain, Master Thomas Magnus, and Rogier Ratclif, gentleman usher of his privy chamber, who being right meet persons for this purpose, the one to give good and wholesome advice in plain and secret manner to the queen, and the other pleasantly and dulcely to handle himself with the king, and both to help to the furtherance and conducing of all such things as may sound to the establishment of perfect intelligence between both princes, may and shall do great stead in advertising the king's grace from time to time of the very truth and certainty of the proceedings, doings, and successes there; and shall undoubtedly, by their policies, and good instructions from hence, stay many things which might be adverse to the king's good intent and purpose."¹

¹ State Papers (Henry VIII.), iv. 139.

These emissaries reached Edinburgh on the 30th of October 1524. The Scots ambassadors had not yet gone to England. It was found that they must not be sent until they were "fully authorised by the whole body of Parliament, as well touching their instructions as commission."¹ The Scots Government, however, appeared to be very anxious to compensate for any such slight by the brilliant public reception given to the two Englishmen, and the high courtesies bestowed on them. Their public reception was as ambassadors.² In all communications with them they were carefully termed the Lords Ambassadors of England. The record of these things reads like a practical sarcasm on Wolsey's subtle scheme to exchange for ambassadors emissaries of an inferior rank. From the scrupulous care, indeed, with which their ambassadorial rank is ever respected, it would seem as if the Scots Government suspected the trick intended to be played on them, and were determined to afford no excuse for pleading their acquiescence, but, on the contrary, to challenge the men at every opportunity to make confession if they really were not ambassadors. This, it would appear, they dared not do, since the alternative would have been to betray their real function, which was that of the spy.

Of course, from this time forward Wolsey had for the guidance of his policy a full narrative of everything that diplomatic ingenuity could worm out about the doings of the court and the political parties in Scotland. It is fortunate that we are now sharers in the revelations he received. To begin,—when the ambassadors, on the reception, passed solemnly to mass in the Abbey Church of Holyrood, they observed that the young king during service "was a good season occupied, as it appeared, to his most singular comfort, in looking upon the king our master's letters, so lovingly and in so cheerful manner, that in our opinions, though he were the king our master's own son, we could not have thought he should have done more." They had to present the young king with a robe of cloth-of-gold and a sword, the gift of his uncle. "Where-

¹ State Papers (Henry VIII.), iv. 216.

² Ibid., 209

of," they tell Wolsey, "both the queen's grace his mother and his grace were so glad that forthwith it was put upon his said grace as meet as was possible, and so he did wear the same all that afternoon in the sight of the people, saying openly, 'Ye may see how well my good uncle doth remember me with many things, and yet I was never able to do his grace any pleasure.'"¹

Of like personal interest, too, it is that when the young king hears of his uncle's intention to make him a present—"to send unto him some pleasures and remembrances for his hunting and other disports this summer season,"—Magnus reports that the boy is thankful, and very earnest that the compliment should take the shape of "a good buckler." "For of that he is right desirous, insomuch that, when his grace doth see my servants, he commendeth and praiseth much their swords and London bucklers." "And," he continues, "the buckler to be provided for his grace may not be ordained as if it were for a child; for that his grace loveth not but to have everything like unto a man, insomuch that the swords he daily useth are a yard afore the hilts, which his grace will as roundly and quickly draw forth and put up again as any man in his court."²

Of the young king they had many other pleasant things to say—how he disported himself in the fields at tilting, and showed familiarity with his lords, both in singing and dancing; all which his princely acts and doings are so excellent for his age, that in their opinion it is not possible they should be amended. "And much more," they say, "it is to our comfort to see and conceive that in personage, favour, and countenance, and in all other his proceedings, his grace resembleth very much to the king's highness our master. And over this his said grace hath, with the most pleasant and most loving countenance, showed unto us both that much it pleaseth his grace to see and hear of the good manners of England, and much it displeaseth him to see his subjects to exercise or use the fashions and manners of France; and we being present,

¹ State Papers (Henry VIII.), iv. 209.
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² Ibid., 368
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saw and heard his said grace reprove one of his own servants for the same cause."¹ This was pleasant information to Wolsey, so far as it went, and its tenor was repeated. We find Magnus talking over with the young king the dangerous designs of France, and telling him that he should lay all his trust upon his good, kind uncle, whose kingdom he yet may inherit; "that France was about to circumvent him by many subtle ways and means, to his great danger, and would wish his grace in heaven to have the Duke of Albany King of Scotland, which his good uncle of England continually laboureth to defend to the utmost." Of such wholesome admonition the good effect is at once evident. "The young prince was very well pleased with my words, and divers times since then hath showed me what the Frenchmen have spoken; and is so wise, that he can take his time to speak secretly, and to give warning if any suspect persons be nigh in presence. The king's highness his uncle hath wholly his young heart, and as far it is from the Frenchmen."²

Still these "Frenchmen" were at the king's gate giving Magnus much uneasiness, the influence of which he effectually communicated to Wolsey. They were those same ambassadors or emissaries who had the mysterious conferences with the Beaton. They arrived in the winter of 1524, and at first Wolsey's agent could only give him these confused guesses at their object: "Of truth the queen's grace supposeth the same to be to her pleasure, insomuch as her grace said to me they were coming to make unto her grace great offers, and, as I perceived, she thought they came to bring unto her a great sum of money. In brief time your grace shall have the certainty; but it is thought the said persons be coming at the least to fortify Dunbar both with victuals, men, and other necessities, and besides the same under the colour of some commission from the French king for the surety of themselves, either to win the queen's grace and the lords with money to the French faction, or else because the said Duke [of Albany] is a widower, to procure some divorce between the queen

¹ State Papers (Henry VIII.), iv. 243.

² *Ibid.*, 308.

and the Earl of Angus, that marriage may be had between the said queen and the Duke of Albany."¹ He travailed sorely to persuade the queen how dangerous it would be to encourage these emissaries, bidding her note well the great hurts, damages, and hindrances which Scotland had sustained from France; if the old course be followed, the country "shall sooner thereby chance to live in war, trouble, and adversity, than firmly conjoined with England to flourish in riches, wealth, and prosperity;" and as for herself, "if she will in any wise decline from the king's highness her brother, accepting any light offer or promise on the French party, her grace shall thereby lose natural and cordial love, favour, and affection, for feigned covert and cloaked dissimulation to her utter destruction." Yet was her grace not a little uplifted by reason of the attention of the foreigners, boasting that they had brought her thirty thousand crowns, "and that it would be long ere she had so much from out of England."²

Some days afterwards he had to modify this story. "Her grace saith that the French king hath sent unto her five thousand crowns, far from thirty thousand as her grace said before, but as yet the money is neither seen nor delivered—and that the said king hath sent great sums of money to the lords." These small affairs were mixed up with aggravating hints about the offer of a daughter of France, with a noble territorial endowment, to the young king. Throughout, the ambassador had the unpleasant feeling of being played with and kept from the truth. He desired to be present when the king and queen had their first interview with the French ambassadors, but this met a peremptory refusal.³ One day when Magnus appeared at Court desiring an audience on important business, he found the young king closeted with Groselles, the head of the French embassy. It happened that the king's mother, who was ill in health, kept her chamber. Groselles had the assurance to propose that he should be present while the Englishman stated his business to the king and some of the principal personages

¹ State Papers (Henry VIII), iv. 276

² *Ibid.*, 278, 279.

³ *Ibid.*, 284, 285.

of the realm who were assembling to hear it. The business was in itself of a triumphant character for the English interest. It was to communicate Papal briefs importing that his Holiness, in collating to benefices, would no longer give effect to the presentations of the Duke of Albany as regent, but would look to the king himself as the administrator of patronage, and this admission it was said had been brought to pass through the influence of King Henry and Cardinal Wolsey. Armed with this triumphant message, Magnus gave Groselles a bit of his mind, referring to the French garrison which still held Dunbar Castle. "I said I could not a little marvel that, under the colour of an ambassador, the French king would devise by his commission to convey to the king's presence that person that in despite of his grace, the queen's grace, and of all Scotland, kept Dunbar, the greatest strength and fortress within the realm, with all the king's guns, artillery, and munitions for war." Having spoken to this and other like effects, it gratified Magnus to see that "Groselles and other the Frenchmen were avoided, and after not so much regarded."¹ Indeed, one day Groselles being importunate for an audience of the queen when she was indisposed, and having troubled her with much matter "wherewith she was not content," Harry Stewart, the queen's new lover, "sent to the said Groselles and bade him avoid the chamber, or else he should cast him down the stair."² Further, the ambassador has the satisfaction to report how Groselles had complained to some of the lords "that he was in dread to tarry and to go about his causes for dread of his life, saying that divers nights he was glad continually to stand on his feet and to walk up and down in his lodging."³

Still, there was the other side of the picture. Magnus got hints that he was staying too long in the country, that especially the presence of English strangers was distasteful to the Scots during the meetings of their Parliament.

So vibrated the balance between the French and English interest, when early in the year 1525 came the news that

¹ State Papers (Henry VIII.), iv. 300 ² Ibid., 307. ³ Ibid

the King of France was defeated and made captive at Pavia. Magnus found that the misfortune of the old national ally had a popular influence detrimental to the English interest. When he mentioned the event in exulting tones he was met by sullen incredulity, and when at last the calamity could not be denied, some were "right sorry," while others could not restrain their indignation but "brast forth their inward cruel cogitations" against England. A few days afterwards he gives a more distinct announcement of the nation's sympathy, "which matter hath been taken here in right strange manner till now of late, insomuch that some have been sorry therefor, and right many grieved for the same, and full few comforted or pleased with the said news or tidings. And some have spoken cruelly against me for bringing such news to these parts, whose words as yet have waved but as the wind; and now the said news do so settle and sink into the Scots minds that, hearing of the king our sovereign lord going into France with his army royal, their opinion is, for the most part, his highness shall win and obtain Paris without danger or peril of battle. They hearing also that the king's highness will take no continuance of truce, abstinence of war, nor peace, after their requests, suits, and desires, but till the 15th of the next month, are some deal moved thereat—some saying, if war follow they must defend and do as they have done afore, and the greatest part be most desirous of peace. Howbeit, the fall of France is so sorrowful to many of them that they are not a little discontent therewith."¹ The last part of the letter alludes to some resumption of the bullying tone on the part of

¹ State Papers (Henry VIII.), iv. 361. It may be appropriate to this instance of natural condolence over a defeat of the French to note, that nine years earlier there was by royal order a lighting of bonfires and firing of guns along the south-east coast of Scotland in celebration of a French victory, as attested by this entry in the treasurer's accounts of an allowance to a messenger "to pass with my Lord Governor's letters to Setoun, Fastcastle, and endlang the coast, with diligence for to gar mak beilfyres and cast gunns for novelties of the triumph the King of France gat in Lombardy."—Pitcairn, *Criminal Trials*, ix. 262. The entry is dated 28th October 1515, and must refer to the battle of Marignan, fought on 14th September.

Henry, but that had never been a successful way of dealing with the Scots when their blood was up.

This awakening of the spirit of national generosity, which comes to us in refreshing contrast with much factiousness and baseness, could only bring vexation and wrath to the English emissaries. But it must be admitted that they had much personal cause for irritation. They became unpopular, and their unpopularity penetrated the Court circle. They complained of ill-usage in the matter of hospitality, and had great difficulty in keeping a dwelling-place. They were cursed and abused, chiefly by women as it seems, as they passed along the streets. These unfortunate men were sorely afflicted too by vain and malignant suspicions: some of these are so odd and grotesque, that at the present day it is difficult to realise them as substantial troubles perplexing an embassy, and proving the nation's hostility to important political designs.¹

¹ As for instance: "Since my last writing unto your said grace, here hath been right rageous winds with exceeding rain, wet weather, and great waters, to the dangerous getting and inning of their corn in these parts. Whereupon there is an open slander and murmur raised upon me, not only in this the town of Edinburgh, but through a great part of the realm, surmitting that I should be the occasion thereof; and that as I have done in France, Flanders, and other countries, where I never was, nor without the realm of England, but here in Scotland, I will not depart from hence till I shall procure all this realm to a destruction both in their corn, fruit, and otherwise, as is said chanced by my means one year of the vines in France. Insomuch that I nor my servants could nor might pass of late in the streets, neither to nor from the Court, but openly many women banned, cursed, sworned, and gave me and mine the most grievous maledictions that could be to our faces. Whereupon there are nigh about half a score persons, all women, taken and put in prison, and as yet do remain there for condign punishment, and to be example to other like offenders. And also the Friars Observant have preached sore against them that first procured and continueth this false, untrue, and detestable saying and opinion. This ungracious demeanour hath been put in execution here for the most part all by women. The beginners thereof cannot be known, but it is supposed to be by Frenchmen, or by some other favouring their causes, not being content with this peace and the manner thereof to be concluded; nor that Englishmen do come at all times, at their pleasures, and when they lust, to the young king's presence, and seeing the Frenchmen not entertained as they have been of late."—State Papers (Henry VIII.), iv. 406.

The sympathy with France came at last to a distinct diplomatic issue with England. Commissioners met on the border to negotiate for a durable peace. It was proposed, on the part of England, that there should be a general clause including in the treaty the allies of both countries. As an amendment on this, the Scots commissioners set forth a clause retaining the essence of their obligations to France under the old league: "That it shall be lawful for us to help, fortify, and supply our confederate the King of France, his realm and lieges, with men, ships, victuals, and all other necessaries." Magnus, who was one of the commissioners, described this clause to the Chancellor of Scotland as "so sore and straitly penned and couched that neither w^e for the party of England could consent thereunto, nor your commissioners for Scotland could remit or abate the same; so that therefore our meeting come to little effect or purpose." The chancellor to whom this was said was that same James Beaton whose unfathomable subtlety gave so much trouble to Wolsey. He was now deemed a good friend to the English cause. He was reported to Wolsey as given "at all times above all other" to the pleasure of the king's highness and his grace. Magnus and he were close allies. They had a conference about this unhappy clause, and Magnus reported to Wolsey the chancellor's opinion that the obligation to France could not be omitted from any Scots treaty without the authority of an Act of Parliament, and this he would not attempt to procure, "knowing as he doth the inclination and minds of Scotland to the same, and this the said chancellor hath given me for a resolute answer."¹ We have here a signal instance of the influence of popular government on the honesty of statesmen. Whatever personal or other narrow interest might have influenced the commissioners for Scotland, they were restrained by the popular sentiment; and whether it was absolutely wise or not, it was on this occasion both honest and generous.

The abstinences were renewed, and a treaty was con-

¹ State Papers (Henry VIII.), iv. 409-13, 443

tracted under a change in the conditions, for the time being, of the European nations. Charles V., while inheriting the leadership of the Catholic League as King of Spain, was believed to favour the Reformation as emperor over the German Lutherans. That awkward affair, the seizure and sacking of Rome by his troops, had appalled the Catholic world. King Henry and King Francis became allies, and it was agreed that in a treaty between Scotland and France, to be concurrent with that alliance, it was not necessary to insert the special stipulation for warlike aid to France. The treaty was not completed until the year 1528. The Scots pride was touched by more than one condition suggested from England. It was, for instance, proposed that there should be a prohibition against the return of Albany to Scotland. To this it was observed that by Act of Parliament the government was put into such hands that it could not be administered by him. To that Act made by their own Parliament they would submit; but the Estates not having thought it necessary on their own independent judgment to exclude him from the country, this thing was not to be done at the instance of a foreign power. They took further umbrage at a clause requiring that the Scots lords "should be obliged to treat honourably the king's highness their sovereign." This was but their loyal duty, for which they were accountable to their own tribunals, and it became them not to accept of the bidding of a stranger to conduct themselves as good citizens.¹

During these negotiations there were internal events of moment. A dash of the ludicrous is thrown on them by the influence of the queen's wayward loves and hatreds. After much trouble she accomplished, in the year 1528, a divorce from Angus. She had to encounter great obstacles in its pursuit. When first she proposed to seek it on the usual ground of divorce—the husband's criminal infidelity—she got a friendly warning that he might retaliate, and she abandoned that course, leaving her friends to form their own inferences. How desperately

¹ State Papers (Henry VIII.), iv. 433-35; *Fœdera*, xiv. 278

she grasped at anything that would accomplish her object is shown in the next plea started by her—it was, that she was not a widow at the time of her marriage, for her husband, King James, had survived the battle of Flodden and lived for three years near Brankstone. Another plea was that Angus himself had a wife before he took her. On this ground the Chancellor Beaton pronounced a divorce; but she obtained one, at last, in a more acceptable shape, through the plenary power of the Pope. The new object of her erratic affections was a young hanger-on about the Court, Harry Stewart, a son of Lord Evandale. The queen made great efforts to raise him to a high office. He does not appear on the list of the officers of state, yet his vehemently loving mistress seems to have thought that she could command office for him by laying hold on the tangible symbols of their executive functions; for we find it stated by Norfolk in 1524, that “Henry Stewart had of late in keeping the great seal, the privy seal, and the other seal called the quarter seal, and the signet, and also occupied the office of treasurer, and doth rule as he will, to the great grudge of all others.”¹

Meanwhile the queen's attachment had less influence on events than her hatred, which had been for some time successful in keeping at a distance her potent husband. This was exceedingly provoking both to her husband and Wolsey, from the value they put upon his services. The Earl of Arran, as the nearest resident relation of the royal family, was nominally the leader of the Government, unless in so far as the queen professed to rule. He was a fair man, and acceptable to the English; but we find Wolsey, when baffled in his designs to send him Angus as a colleague, speaks of the latter as one “who may and will do more service to Scotland to the benefit of the king his master and the king's contentment than five Earls of Arran can do.”²

King Henry found it inexpedient to retain Angus in England, and left him to his course. He arrived in Scotland soon after the emissaries or ambassadors. He pro

¹ State Papers (Henry VIII.), iv. 148.

² *Ibid.*, 198

fessed to be extremely moderate in his desires, paid all humble duty to the queen, and agreed to meddle with nothing, but abide in quietness on his own estates. He proved himself a restless neighbour, however; and the emissary, Magnus, had to tell how one day all Edinburgh was in confusion, Douglas having brought some four or five hundred men over the city wall.

He made nothing of this stroke; but his opportunity came in 1526, when the young king, being fourteen years old, ceased to be what was called in law a minor pupil, and, if he could not entirely act for himself, might choose his own guardians or protectors of his interests. He chose Angus for one. The Lords Argyle and Errol were to be his colleagues, and we are told that they were to take charge of the king each for a quarter of a year in succession, but that Angus, having the first turn, when the end of the three months came, "would in no wise part with him."¹ Angus was indeed determined to take his full use out of the living symbol of power thus placed in his hands. He formed a political league with Arran, and, as the dictator of the joint policy, he exercised an iron rule. The possession was so precious, the risk of its loss so terrible a prospect, that the poor boy was kept in merciless restraint. Some ineffectual attempts were made to release him—one by Scott of Buccleuch was nearly effective. Another was attempted near Kirkliston, by Lord Lennox, who was killed on the occasion. It was a tough contest. The poor boy could not conceal his anxiety for the cause of the liberators, and his reluctance to abide with his keepers; and it is then that Angus is said to have made the savage remark, that if his enemies got hold of him on one side, his friends would keep hold by the other, although he should be torn in twain. In the May of 1528 the king was residing at Falkland. Douglas himself, and some of the more important of his assistants, were absent, and the time seemed to have come for an attempt to escape. The king professed to be engrossed in hunting—there was to

¹ *Diurnal of Occurrents.*

be a great match, indeed, next day. He managed to get undetected, to the stable, with two attendants whom he had secured to his interest. The three mounted and rode off to Stirling, where they found refuge within the castle.

Douglas knew at once that his power was broken; nay, that if he stayed in Scotland and strove to retain his estates, he would have a struggle for existence. He was not, however, of the kind who yield readily to fate; and he prepared for determined resistance. He had drawn round himself a large body of supporters among the gentry and lesser barons, and especially among the lawless borderers, by the old national form of Bands of Manrent. Though many of these allies or dependants dropped away when the power to be resisted was the monarchy, yet Angus could muster a formidable army, and he had several places of strength, chief among which was Tantallon, the remains of which attest the feudal power and wealth of its owners: it may be questioned if the king had at that time a castle so strong and well found. Here Douglas awaited the enemy; and for the third time this house was to have a conflict with the crown, and to take strength for resistance from that mysterious source of vitality which twice had brought a new growth of power to sustain the contest for supremacy in Scotland, after the family seemed irretrievably crushed. Tantallon held out so toughly that the siege was abandoned, and renewed with increase of vigour before it was taken.¹

¹ We have this curious account of the siege from the pen of Angus himself. He writes to Northumberland:—

“My lord, in maist hertly manere I commend me unto your gud lordschip And, to certify the sammyn of sic novellis as occuris here, emplesit your lordschip call to remembrance how the king my maister assemblit his army the 18 day of October last bipast, nochtwithstanding the tender and special letters the kingis hienes of Eingland directit to his grace in favouris of me, and in contrar the said convocacioun, or assegeing of my house of Temtalloun; at the quhilk he and his army, with artillierie of his awin and of Dunbar Castell, in greit quantite, has lyne and assegit rycht scharply, baith be gunnis and inginouse men, baith Scottis and Frenche, that myndit the wallis in sic sort that, as can be rememberit, thar was never as

Young as King James was—in his seventeenth year—he was as remorseless in attack as his enemy was stubborn in defence. He had been subjected to a long succession of exasperating humiliations, and he determined to repay them in the unforgiving spirit which is one of the forbidding features of his race. He went thoroughly to the work, like a schoolboy who has got the better of a tyrant master—with the difference that, instead of barrings-out, and castings-about of inkstands and rulers, there were all the miseries of war. Throughout, the king's determined exercise of his new-found power oscillated with the petulancies of the schoolboy. When he heard that King Henry had interposed to recommend some moderation in his resentment, he fell a-crying on the thought that his dear uncle should have been more mindful of Angus than of himself.

Angus was stopped at once from any possible conference, by proclamations prohibiting him and all his adherents from approaching within six miles of the royal

mekill pane, travell, expensis, and diligence done and maid for the wyning of ane house, and the sammyn escaip, in Scotland, sen it was first inhabit. And apone Weddynnisday the ferde of November the king removit to Edinburght, bot 16 mylis fra Temtalloun, and left ane band of futmen, and ane compny of horsemen, to convey hame the artillierie. And that sammyn Weddynnisday at nycht, I and part of wele horssit men of myn awin, to the nowner of aucht score, and levit the lave of my folkis behynd me at Temtalloun, followit in eftir thame; and a litill eftir the mone rysing, or it was day, set apone thame, and has default thame all, loving to God, baith horsemen and futmen, and slane David Falconer, principall capitaine of the futmen, the best man of wer was in Scotland on the sey, and was takin be Einglismen nocht lang ago. And I have takin are uther capitaine of the futmen, and has him in furance. And als I tuk the maister of the artaillie, and wan all the sammyn, and had baith men and artaillierie all in my will and dangar. Bot, because the king my maister is sa neir of blud to the kingis hienes of England, that has done sa mekill for me, and sa gud and graciouse prince to me, and mekill the better be your solicitacioun, I wald nocht dishonour the king here sa fer as to hald his artaillie, bot convoyit the sammyn my self, whill it was furth of danger; and sutterit the maister of artaillie to pas, and prayit him to commend my lauly service unto my soverane, and to schew his grace that I have bene trew servand and subject to the sammyn."—State Papers (Henry VIII.), iv. 521.

presence. Then, in Parliament, proceedings for forfeiture of estates were taken in ample form.¹

Acts of Parliament are sometimes empty words to the commander of an army; but the Parliamentary forfeiture was equivalent to the ranking of a great volunteer force against the rebel leader. It in reality subsidised with large remuneration all those who had the prospect of succeeding to his forfeited estates. For all the power and impetuosity of his enemy, the Douglas kept stubbornly at bay, still holding out Tantallon. In the end, however, the crown was too strong for the subject, and Angus took refuge in England. He was received with all hospitality and honour by King Henry. But if he expected that his cause would be taken up as a quarrel by England, he was mistaken. He had no chance of help in that quarter, unless there had happened to be other ground of quarrel with Scotland, which would have made it useful to employ him. The thoughts of the English Government were at that time turned abroad. He was only a fugitive—unfortunate, but distinguished—and as such he was received with kindness; nay, some remonstrances were made in his favour, but as it was found that the young king, flushed with the sense of his new power, seemed obdurate, they were not pushed.

In the midst of this contest, in the year 1528, came an event, little noted at the time, yet destined to hold, in the estimation of after-times, a place more important even than the fall of the house of Douglas. Again the ecclesiastical authorities handed over a convicted heretic to be put to death by the civil power. The sufferer was named Patrick Hamilton. He belonged to a family which had influence enough to procure him one of the lay benefices of the Church, and he was by title Abbot of Fern, in Ross-shire. Knox tells us that he went to Germany, and, sitting at the feet both of Luther and Melancthon, "did so grow and advance in godly knowledge, joined with fervency and integrity of life, that he was in admiration of many." He is usually called the Proto-Martyr, as he was the first who was both a native Scotsman and a sufferer

¹ Act. Parl., ii. 324-28.

for the Reformation opinions in the shape in which they afterwards gathered strength in Scotland. As in other instances of ecclesiastical denunciation, we have nothing to tell us the nature of the process against him. It has been told by later writers, but naturally with vehemence; and the whole history has been surrounded with picturesque traditions, which only render it the more to be regretted that we have little of the facts. Only of the sad end we can have no doubt—that he was burned to death before the old College of St Andrews. Knox tells us that “the articles for which he suffered were but of pilgrimage, purgatory, prayer to saints and for the dead, and such trifles—albeit that matters of greater importance had been in question, as his Treatise, which in the end we have added, may witness.”¹

This treatise, indeed, is at once seen to have an important and emphatic reference to the essential doctrines of Protestantism in the shape in which they became afterwards prevalent in Scotland. It announces the doctrine of the atonement, repudiating the notion that good works can be the means of gaining salvation, since such a doctrine would lead to the inference that man can buy his salvation, and the creature strike a bargain, and keep it, with the Creator. But in Hamilton's treatise a gap is left, which had in later times to be filled up that the doctrine might be logically complete. He says nothing to contradict the opinion that the atonement was for all mankind. The universal paradise thus opened was afterwards narrowed by the doctrine of election, with its corollaries, that the elect are pure by virtue of their condition, and that sin is an outward symptom of non-election. Thus were, in a manner, reconciled the doctrine of the law and the doctrine of the atonement. By the one, purity of life was the cause, by the other it was the effect, of salvation.

The struggle with Angus brought the king into conflict with the borderers. Many of them were vassals of the house of Douglas, so far as they admitted vassalage to any one. With others, again, that house held a sort of diplo-

¹ Laing's edition, i 17.

matic position—it was convenient for them to be allies. In fact, the king found there a sort of independent state rising and strengthening itself, and he determined that this should not be. The growth of the border community was special. It had gradually arisen when the great quarrel broke out between England and Scotland in the War of Independence. We have seen that England held territory within the present bounds of Scotland down nearly to the sixteenth century. This territory was rescued from the English Government, not by national war and treaty, but by local contests, in which the Douglasses, or other eminent Scots families, drove the English power from one district after another. There was a natural feeling that what was thus acquired belonged to the victors by a title more independent than a feudal holding of the crown. On either side, the royal writs, whether coming from the chancery of England or of Scotland, met with scant respect. There was little spirit of nationality on either side. The English wardens took care that if those they were set to watch were to go a-plundering, it should be rather in Scotland than in England; and the Scots wardens reciprocated this policy. But except that it was safer to pillage on the other side than among their own countrymen, there was hardly a sense of nationality. At Flodden the English borderers pillaged the English army as readily as the enemy's.¹

The influences at work in separating this district were, in a modified shape, the same with those which made the Continental Margravates. The territorial chiefs, to whom it fell from local conditions to be the defenders of the borders of the empire, became so powerful that they established principalities holding rank with the secondary German states. The most powerful of the border chiefs—the

¹ Weber's Flodden Field, 207. In the despatch on the battle alluded to above there had been the following passage, afterwards scored out: "The borderers not only stole away as they lost four or five thousand horses, but also they took away the oxen that drew the ordnance, and came to the pavilion and took away all the stuff therein, and killed many that kept the same."—Calendar of State Papers (Henry VIII.), i. 668.

Armstrongs—seem to have felt something like princely power. A large portion of the territory over which they held rule or sway was acknowledged to belong to neither kingdom, by its name of “the Debatable Land.” Indeed, in treating with England for peace on the borders, the Scots representatives were obliged to plead that the crown had not full control over the territories of the Armstrongs—that they were not “in due obeissance;” and when it was demanded that certain English subjects known to be imprisoned within their territory should be released, the Scots Government could not come under any absolute stipulation on the point, and could only promise that “they would endeavour themselves, for so much as in them is, that the said prisoners should be freed and put at large.”¹

It was only in the nomenclature of the law that the house of Armstrong were subjects of the King of Scotland. On a small scale, their position resembled that of the old kings of Scotland towards England—holding independent rule in one part of the island, and possessing other territories as feudal holdings. It was rather by policy than duty that the Armstrongs were attached to Scotland. It would not suit their position to be at war with both countries, so they made England the sufferer by their predatory incursions. Though they were thieves in the nomenclature of Holyrood and the Tolbooth, they were, in their own estimation, powerful leviers of tribute; and if they paid unwelcome visits to those who refused to pay them black-mail, this was but the way of all leviers of taxes who distrain the goods of defaulters. The head of the house of Armstrong seems to have considered himself more in the position of an ally than a subject of the King of Scots.

When King James approached with his army of eight thousand men, it appears that the chief went forth to meet him amicably, and with the amount of deference which a small potentate would pay to a great. He had with him a train of twenty-eight men well mounted, called in the chronicles “gentlemen.” “So,” as we are told in the Pit-

¹ State Papers (Henry VIII.), iv. 424, 425.

scottie Chronicle, "when he entered in before the king, he came very reverently, with his foresaid number very richly apparelled, trusting that, in respect he had come to the king's grace willingly and voluntarily, not being tane or apprehended by the king, he should obtain the mair favour. But when the king saw him and his men so gorgeous in their apparel, and so many braw men under ane tyrant's commandment, throwardlie he turned about his face, and bade take that tyrant out of his sight, saying, 'What wants yon knave that a king should have?' But when John Arnstrong perceived that the king kindled in ane fury against him, and had no hope of his life, notwithstanding many great and fair offers whilk he offered to the king—that is, he would sustain himself with forty gentlemen, ever ready to await upon his Majesty's service, and never to take a penny of Scotland or Scotsmen. Secondly, that there was not ane subject in England—duke, earl, lord, or baron—but within ane certain day he should bring any of them to his Majesty, either quick or dead. He, seeing no hope of the king's favour towards him, said very proudly, 'I am but ane fool to seek grace at a graceless face; but had I known, sir, that ye would have taken my life this day, I should have lived upon the borders in despite of King Harry and you both; for I know King Harry would downweigh my best horse with gold to know that I was condemned to die this day.'"¹

Other accounts give an element of treachery to the affair, saying that the Armstrongs were lured into the king's army by a promise of safety. But Pitscottie's account tallies best with the conditions, and represents the proud, passionate young king as enraged at the presumption of one who, in the law language of the day, was a border thief, and determined to extinguish him. The chronicles and the ballad literature of Scotland treat the affair with the sadness pertaining to the fall of power—to its fall by unworthy means. Philosophical historians, again, have little sympathy with the extirpation of a band of robbers, however princely they might affect to be: the

means might not be commendable, but the deed in the end had a balance of good. There are appropriate ways of doing things, however; and to treat the ruler, even though his subjects may be ruffians, as we would a footpad, is not appropriate or politic. Till within the memory of man, the sovereigns of some states on the Asiatic side of the Mediterranean subsisted by plunder; yet if a European force managed to get possession of a Dey of Algiers or Tunis, or even of his prime minister, it would hardly have been appropriate to treat him as a Tom King or Jack Sheppard. The Armstrongs, in fact, counted themselves leviers of tribute rather than plunderers, and seem to have prided themselves on the good rule they held over their lawless set. Yet the entry in the record of the form of trial to which they were subjected is briefly, "John Armstrong, *alias* Blak Jok, and Thomas his brother, convicted of common theft and reset of theft, &c., hanged."¹

A power that seemed likely to grow into a separate principality was thus broken, and far more easily than that of the Lord of the Isles. The elements of influence, prevented from centralising, dispersed themselves, and were sufficient to create several eminent houses; so while the Armstrongs were hanged, the families that succeeded to them in border influence, the Scotts and the Kerrs, waxed in power and wealth until they became ducal houses. It was probably all the better for the peace and loyalty of the borders, in their later developments of local influence, that the power and leadership that arose among them, as by a law of nature, should rather be allied to the hierarchy of the state, than be left to fight their own battle, with the alternative of an independent principality or the halter. At all events, the immediate effect of the king's strong measures was not hopeful. Nothing so exasperates a high-spirited people as injuries of a contumelious and humiliating kind, done on those whom they think fit to acknowledge as their leaders and commanders. We shall presently see that the district offered its allegiance to Eng-

* See a selection of documents on the fate of the Armstrongs in Pitcairn's *Criminal Trials*, i. 152* *et seq.*

land. For some years after these rigorous measures there never had been so much crime on the border, if we may judge from the angry controversy of the two governments, each accusing the other of permitting or countenancing continual oppressions, murders, riefs, and spoliations. Against all this wild work, since the hand of man was found to be an ineffectual check, resort was had to other powers, which did not, however, prove very effective. They probably were of no more use than to leave a characteristic type of the age. This remedy was a general excommunication of the offending borderers—a cursing, as it was expressively called in Scotland. It was issued by the Archbishop of Glasgow. It was not kept shrouded in Latin, but, for the benefit of those concerned, was translated into the vulgar tongue. It stands forth as a very brilliant specimen of the rhetoric of scolding. As it is levelled, not against persons named, but against all those belonging to an indefinite community who come within its scope, it affords a more than usually emphatic example of a comprehensive effort to accomplish a favourite object of the Church.¹

Meanwhile the Government found in another direction powers tacitly consolidating in a manner likely to disturb the authority of the crown. The discovery is a signal instance of the vitality of political influences, and their power of growth in a new shape after the old has been cut down. We have seen the continued and stern efforts of the crown to deprive the Celtic races of the north and west of all central leadership. They were not only broken up into several chiefships, but over these certain potent neighbours belonging to the nobility of Scotland had powers of influence and control. The Islands and the Western Highlands had been put under the management of the house of Argyle. The usual quarrels among rival clans and chiefs had been going on, and the Earl of Argyle seemed to be busily and earnestly employed in the duty of suppressing them. The Highlanders retaliated with

¹ This document will be found cited further on in reference to the influence of the secular powers and practices of the Church.

inroads on the valuable possessions of Argyle on the Firth of Clyde. This aggravated a special cause of wrath given to the house of Argyle by a domestic wrong. One of the most powerful of the Island chiefs, Macleod of Doward, got to wife the Lady Elizabeth, daughter to the second Earl of Argyle. They quarrelled, and the husband's method of retaliation on his wife was by carrying her out to sea at low water and placing her on a rock between Lismore and Kells, where the rising tide would have drowned her had she not been saved by boatmen accidentally passing.

Among countless acts of ingenious cruelty and subtle vengeance forgotten in the history of these wild districts, the story of the wife of Doward has been selected for commemoration in tradition and literature, because the intended victim belonged to a baronial house, accustomed to, and holding in respect, those principles of chivalry of which the cruel treatment of a woman was so odious a violation. The notice of the Privy Council was drawn to the whole affair by the high powers which Argyle requested for the suppression of the Highlanders—for bringing them to submission, or, if they would not submit, extirpating them root and branch. This was no doubt a desirable object, likely to tempt the Government to be pliant; but the powers sought were unusual, involving the levy of the feudal array in several of the southern Lowland counties, and placing the army so collected in the hands of Argyle as the Lieutenant of the Isles. The Council demurred about the granting of such powers. Argyle pressed them with accounts of further outrages and commotions. It was then decided that, since the outbreaks in the Highlands were so very serious, it would be proper that the king himself should lead an army for their suppression.

Whether it was that Argyle did not like this design, or that it frightened the turbulent leaders into quietness, such reports came of the amended state of the district that it was thought unnecessary for the king to march against it. It happened, whether from policy or accidental cause, that communications passed directly between the Council and the heads of clans, instead of all official business in the shape of threat or otherwise passing through the hands of

the Lieutenant. Both parties thus seem to have found each other reasonable; at all events, the chiefs ceased to be afraid to visit the Court. One of them showed the suspicions which the recent policy had nourished by declining to go unless the Government took hostages from Argyle for his safety. Such things suggested that the Lieutenant's power was becoming formidable to the crown. Argyle presented a heavy complaint against one of the most powerful of the chiefs, Alexander of Isla, called M'Ian, to whom the Government had been showing some favour, or at least toleration. Alexander was summoned to the Court; and to the astonishment, if not dismay, of Argyle, he obeyed and went. His revelations were such that Argyle was deprived of his lieutenancy, and even for a time imprisoned, and the crown took the government of the Isles and Western Highlands into its own hands—an arrangement which made it necessary to take John of Isla and other chiefs into confidential communication with the Government. The lieutenancy which had been held by the house of Argyle was not transferred to another. Certain engagements were taken by John of Isla and others, which seemed to render such a high officer unnecessary. On the vital question of the money interests of the crown in these districts, the Council were satisfied with obligations by the chiefs to collect and forward the feudal dues of the crown and the ecclesiastical taxes.¹

This Highland revolution spread suspicion and anger among the great Lowland houses. It was not in their nature to think of it as involving a question about the good government of a district. They looked to it solely as the house of Argyle and the interests of the aristocratic order were concerned. Had the head of another great house been appointed to supersede Argyle, the change would have been an event in the natural ups and downs of a restless aristocracy; and if one set of friends was lost to the crown, another set was secured. But treating with the Highlanders was a sort of treason—it was as if an Indian viceroy were to pass over the eminent Europeans

¹ See the authorities in Gregory, 128-142.

sent to serve as his counsellors and high officers, and put their duties into the hands of native chiefs. The English Government, then on the look-out for deserters from Scotland, thought Argyle, and another who had suffered with him, might be secured; and we find Northumberland giving this rather exaggerated account of the matter to his master: "The King of Scots hath plucked from the Earl of Argyle, and from his heirs for ever, the rule of all the out isles, and given them to Mackayn and his heirs for ever; and also hath in like case taken from the Earl of Craufurd such lands as he had there, and given the same to the said Mackayn—the which hath engendered a great hatred in the said earl's heart against the said Scottish king."¹

In fact, this was only one exhibition of the policy or temper, or whatever else it might be, that prompted the young king to pull down the predominant aristocratic houses. He who had lived among them in infancy had taken an umbrage at their greatness, like that of his ancestor James I., who had been trained in another country. In both instances the essential cause was the same—no restraining power in the crown to check the local aggrandisement of the great leaders. One like Louis XI. of France might have dealt with this difficulty by sapping the offending influences, one after the other, slowly and silently, but surely. But James was a man of a different nature, who went right at his object, openly and passionately. On the other side he was met as directly, in some instances, by a cool transfer of allegiance to England. That Angus should have joined the English king was to be expected—it was a step consistent with the traditions of his house; and he had not only been despoiled of everything, but driven out of Scotland. But he was not alone. We have the history of another apostate, told in very distinct terms by Northumberland to Henry VIII. It is that of the Earl Bothwell, the father of the renowned husband of Queen Mary, of whom Northumberland says: He "is of porsonage, wit, learning, and manners, of his

¹ State Papers (Henry VIII.), iv. 616, 617.

years as toward, and as goodly a gentleman as ever I saw in my life, and to my simple understanding he is very meet to serve your highness in anything that shall be your most gracious pleasure to command him withal." To make the case logical, Northumberland first masters Bothwell's tale of grievances; certain lands had been taken from him and given to the Kerrs; he had been judicially harassed, imprisoned, and he was threatened with further proceedings, which might cost him his life. Then Northumberland says:—

"And touching the second article in your most gracious letters, as to know what he would do for revenging his displeasure, or releasing of his heart and stomach against the said Scots king, the said earl doth firmly promise (your highness being his good and gracious prince, and helping him to his right, setting him forward, and advancing him as his service may deserve hereafter to be done in the realm of Scotland) shall not only serve your most noble grace in your wars against Scotland truly, with a thousand gentlemen and six thousand commons, but also become your highness's true subject and liegeman.

"And thirdly, to know what likelihood of good effect shall ensue hereof, the said earl doth say, remembering the banishment of the Earl of Angus, the wrongful disinheriting of the Earl of Craufurd, the sore imprisonment of the Earl of Argyle, the little estimation of the Earl of Murray and the Lord Maxwell, the simple regarding of Sir James Hamilton for his good and painful service, he puts no doubts, with his own power and the Earl of Angus's (seeing all these noble hearts afore rehearsed be withdrawn from the King of Scots), to crown your grace in the town of Edinburgh within brief time."¹

This was speaking plainly and to the point. The term treason is of very fugitive application, but surely we have got it here. Whether it be perpetrated by mere machinations against a reigning dynasty, as some would say, or we take the wider view of others that it should imply injury or danger to the liberties of an independent country, its

¹ State Papers (Henry VIII.), iv. 597, 598.

elements are fully supplied by these "great hearts." Soon afterwards, in October 1532, Northumberland writes that the king's unpopularity among his nobles increases—none of them will do his evil work; he is afraid to move about among them, and to collect an army to meet an invasion from England would be impossible. He gives, at the same time, a peculiar and encouraging piece of intelligence. The borders—the Arnstrongs' country especially—will not resist an invasion. They are to "stand aloof, bearing particular signs to be known by," and if the invasion be in sufficient force to insure their safety, they are to join it, giving their allegiance to King Henry.¹ This statement courts comment. We have seen more than one occasion on which the great houses have offered themselves to the national enemy. But throughout all the mass of documents bearing on the relations between the two countries, this is the only one in which any reference is made to a portion of the people as likely to change their allegiance; and the statement comprehends only that district which really had but a merely nominal allegiance to change. Light as was the character they had to lose, however, they could have pleaded on the letter that, for all the injuries they had suffered for King James, and all the opportunities they might have of helping the enemy, they did not, at least to any appreciable number, perform the service to which Northumberland had pledged them.

If any came over, there was no reluctance to receive them—indeed there are traces of sedulous care to look after all that could be gained over. Thus we find King Henry giving special instructions to the Earl of Rutland, "that the said earl shall entertain all the Liddesdalers and other Scottishmen which have or shall show themselves willing to serve the king's majesty—doing the same, nevertheless, as nigh as he can in such secret or discreet sort, as neither they take any advantage—of espial or otherwise—of him, or of the king's majesty's subjects by that means, nor that it be noted and known that he pro

¹ State Papers (Henry VIII.), iv. 619.

cureth them further than themselves shall seek and offer ; albeit he may therein use all his wisdom and dexterity either to win them, or to stay them for the time, as he shall think may best serve to his majesty's purpose."¹

Although the proof is indubitable that at that time several of the great barons agreed to change their allegiance, it is not quite clear that they could have taken with them a force sufficient to make their aid of much value. Douglas, a man of indefatigable activity, was panting for vengeance against his old country, and wearying Henry and his advisers with the perpetual cry of "On ! on !" Could he have commanded the fine army that implicitly followed him through good and evil before he was tainted by alliance with England, and could Bothwell and others have brought in aid what they promised, there would have been a formidable strengthening of an English invasion.

Perhaps it was by way of trial how far such aid was available, that, in the winter of 1532, Northumberland gave obedience to his king's "most dread command" "to invade the realm of Scotland, and there to destroy, waste, and burn corn and towns to their most annoyance." The south-eastern counties of Berwick and Haddington were selected as the most available for this raid, the chief object of which was the Tower of Dunglas, where had been stored from other districts "great multitude of goods, corn, and cattle." "And so," says the leader, "upon Wednesday at night, being the 11th day of this instant month, I did invade the realm of Scotland at the hour of eleven of the clock, being accompanied with your highness's whole garrison here, and other your subjects in Northumberland ; and upon Thursday before day did send forth two forays, whercin was George Douglas and Archibald his uncle, and in the breaking of the day they did raise the fire in Dunglas, and so burned, destroyed, and wasted the said town and corn there ; and in their forayings the towns and corn of Oldhamstocks, Coldbrandspath, the two towns of Hoprig, Old Camus, and the towns of Reidt

¹ State Papers (Henry VIII.), v. 212.

laws." And in the end, "thanks be to God," the parties united and returned without loss or hurt, there "not being one peel, gentleman's house, nor grange unburnt and destroyed." There is an inventory of the plunder summed up at "2000 nolt and above, 4000 sheep and above, with all the insight, coin, implements of husbandry, esteemed to a great sum." Northumberland was very proud of this, as unequalled within the memory of man, and concludes the narrative thus: "And immediately after the day was gone did come to your highness's town of Berwick, loved be God, to the great annoyance of your grace's enemies, and to the safety of all your highness's subjects, without hurt or harm of any one of them, and to my comfort. I shall pray that the same act may be accepted to your most noble contentation, which hath not been done afore at any time as by the memory of man can be known."¹ But it was a raid and nothing more. Angus and George Douglas were in it, but nothing is said of any followers coming to them, though the expedition must have passed close to, if it did not enter, the most valuable part of their old dominions. The most, indeed, that Northumberland has to say for the adherents of the banished earl is, that they were shy of attacking the English force, while he complacently observes that the zeal of Angus in aiding the English raid will put him at utter feud in Scotland.²

There was retaliation for this, and in the general confusion on the borders it was impossible to say which was

¹ State Papers (Henry VIII.), iv. 627-629.

² "And for the service of the Earl of Angus, Archibald his uncle, and George his brother, I assure your grace was attended in their persons, highly to your highness's honour, and to their utter feud in Scotland. And also, as I am informed, the Lord Home was purposed to have given us setting on at Billy Myre, a great strait, which when he was so fully determined, my Lord of Angus's friends said plain they would not adventure their lives against a battle so well furnished and ordered; upon which they all went from the Lord Home, leaving not past 1000 men with him, upon which he never came nearer unto your highness's army than is aforewritten."—State Papers (Henry VIII.), iv. 629.

the first aggressor, England or Scotland. In the controversy, however, a curious incident was brought up against the Scots side. Under the command of Alexander of Isla, a force of Highlanders, first numbered at four thousand and afterwards at seven thousand, had gone over to Ireland to assist "his majesty's Irish rebels." King James professed to know little about the matter, and lightly observed that they were probably poor starving creatures, who had crossed the channel in the hope of getting sustenance; but it was observed that the affair had occurred when there was danger from England, and just after the king and his council had taken the management out of Argyle's hands and into their own.¹

These contests and difficulties were brought for a time to an end by a conference for a peace—an actual peace, to supersede the mere cessations or armistices, which had made intervals of uneasy rest on the borders. To this conference the Scots commissioners brought the French ambassador, Monsieur de Bevois, as their friend and assistant. In the conference there was protracted debate, and many adjournments, on account of a difficulty, small in itself, but obstinate from its foundation in national pride. England had taken and then held the Castle of Edrington—called in the conferences Caw Mills—in Berwickshire, and within the marches of Scotland. The Scots commissioners would not treat unless it were a fundamental condition that the Caw Mills should be restored to Scotland. The English commissioners said they were not empowered to abandon anything, and tried to persuade the Scots to reserve the question. These were resolute, however; and the commissioners, referring to their king, found him equally obstinate. They told him that, let the treaty be what it would, it was impossible to keep the Caw Mills in time of peace, and when there was no English army on the border. "The Scots at all times be in such readiness" that five hundred men in the neighbourhood could collect a force of five thousand strong for the "stealing" of the Caw Mills, and that within twenty-

¹ State Papers (Henry VIII.), iv. 612-616.

four hours, while England could not gather a defending force in less than four or five days. The English commissioners were at last instructed to give up this conquest, but the difficulty about it delayed the completion of the peace down to the summer of 1534.¹

¹ State Papers (Henry VIII.), iv. 645, 648-650, 654, 656, 658, 659, 673.

CHAPTER XXXIII.

JAMES V.

(Continued.)

SCOTLAND IN RELATION TO THE OTHER STATES OF EUROPE—KING HENRY'S ANXIETY TO BRING HIS NEPHEW TO THE TRUTH—WANTS A MEETING—SUSPICIONS ABOUT HIS INTENTIONS—POLITICAL SPECULATIONS ABOUT THE MARRIAGE OF THE KING—GOES TO FRANCE—HIS DISTINGUISHED RECEPTION THERE—MARRIED TO MAGDALEN OF FRANCE—HER DEATH—MARRIED TO MARY OF GUISE—MYSTERIOUS TREASON TRIALS—THE FATE OF THE LADY GLAMMIS—BURNINGS FOR HERESY—SYMPTOMS OF THE INFLUENCE OF THE NEW DOCTRINES—STAGE PERFORMANCE AGAINST THE CLERGY—AN ACT OF PARLIAMENT ON HERETICS AND THE INTERNAL ABUSES OF THE CHURCH—CLOSE WATCH KEPT BY HENRY VIII. ON THE POLITICS OF SCOTLAND—SIR RALPH SADLER—KING JAMES BUSY WITH FORTRESSES AND FLEETS—A PROGRESS AMONG THE WESTERN ISLES—DOMESTIC CALAMITIES IN THE KING'S FAMILY—THE GREAT LANDOWNERS—THEIR APPREHENSIONS FROM THE CROWN—REVOCATIONS OF GRANTS—KING HENRY AGAIN WANTING A MEETING—KING JAMES BREAKS HIS ENGAGEMENT—SUSPICIONS OF HENRY'S INTENTIONS—KING HENRY'S PROJECT FOR KIDNAPPING KING JAMES—WAR—THE AFFAIR OF SOLWAY MOSS—THE BIRTH OF QUEEN MARY—THE DEATH OF KING JAMES V.

WE now approach the time of the young king's marriage. It was preceded by diplomatic conjectures and suggestions, in some cases partaking of the nature of proposals, which are valuable as showing the position held by Scotland among the European states. Times had changed since the boy was flattered by talk about marrying "the Lady Princess," and becoming King of England. The quarrel with the Pope, and the marriage with Anne Boleyn,

had come to pass. A large royal family, male and female, was among the probabilities for England. The Princess Mary, as in the eyes of some the only legitimate daughter and sole heiress, was a position round which some desperate political games might hereafter be played ; but the prospect of James and Mary peacefully succeeding to the two crowns was all over. It is on his contemplating such a future that Henry's conduct has been vindicated. It was a future avowedly charged with many risks ; and the prospect even of its success was, it is said, odious to the English people. Thus the great temptations to the match were gone, and there were special difficulties on the side of Scotland. The institutions of the country were still untouched by the new doctrines, and thoroughly Popish or Romish. The young king was in close alliance with the Beaton and other high priests. It was not so much a religious as a political alliance. He was at variance with his chief nobles, and he leaned on the churchmen for advice and the transaction of business. He found them abler men than the lay lords, better scholars, and more acquainted with the world, especially that world across the seas with which the interests of Scotland were about to be so intimately connected. Thus the king came into the hands of the ruling clergy. Barlow, the English resident, speaks of "the whole council, which are none else but the Papistical clergy."¹ These had an objection—a terror, it might be called—of an alliance with the house of the arch-heretic. Hence, among the anomalies of that convulsive time, one was that the cause of Rome was believed to be in danger from that too celebrated Mary of England—the "mischievous Mary of the Spanish brood," as Knox called her—the "Bloody Mary" of the popular histories. The powers of Europe were arraying themselves on either side for the coming struggle, and the part to be taken in it by so warlike a country as Scotland was a matter of great moment. Hence the King of Scotland was much courted, and the question of his marriage gave considerable work to the diplomatists. His uncle, while

secretly preparing to do Scotland all possible mischief at the right time, was, in externals, gracious and coaxing. With much fuss and ceremonial he sent the Order of the Garter to the King of Scots, who presently afterwards received the more distinguished Order of St Michael, and from the Emperor the most illustrious of all orders, the Golden Fleece. There was something like a promise from the Papal Court that he should be promoted to the office of Defender of the Faith, vacant through the flagrant misconduct of its late holder; but we do not find that any formal commission was issued to the King of Scots like that celebrated Bull conferred on his uncle.¹

A special legation, however, communicated to him the Papal benediction, along with "a cap and a sword, consecrated on the night of the nativity of our Saviour, which the fame of his valour and many Christian virtues had moved his master to remunerate him with—also that it might breed a terror in the heart of a wicked neighbouring prince, against whom the sword was sharpened."²

These things were accompanied by an exhortation to the King of Scots to come forth as the champion of the Church against his uncle, described to him as "one who

¹ King Henry seems to have been very touchy about the retention of the title, even after he had abjured the giver of it. If his master did not feel sore on the matter, Sir Thomas Wriothesly, the Secretary of State, would not have made the following odd comment on a little tract printed in Scotland, in which the title, with a change strongly commented on, is given to King James:—

"And also it shall like you to understand that upon the arrival of the said Mr Sadler there were conveyed hither from Scotland sundry little books imprinted, and amongst others one entitled 'The Trumpet of Honour,' wherein, in the very titling in the first front of the book, the king your master taketh upon him a piece of the title of the king's majesty, being the king your master therein called Defender of the Christian Faith, whereby his majesty should have great cause to think more than unkindness, if he would willingly take his title upon him. And the conjecture is the more pricking, because he added thereto the *Christian* Faith, as though there should be any other than the Christian faith, which seemeth to have another meaning in it than one good prince can have of another, much less a friend of his friend, or a nephew of his uncle, if he would show himself to esteem his friendship."—*State Papers (Henry VIII.)*, v. 191, 192.

² Drummond, *History of James V.*

set at naught the censures of the Church—an heretic schismatic, a shameful and shameless adulterer, a public and professed homicide murderer, a sacrilegious person, a church-robber, a rebel guilty of lese majesty divine, outrageous, many and innumerable ways a felon and a criminal, by all laws heretofore justly to be turned out of his throne.”¹

A scene was reported to Henry VIII. by Northumberland early in the progress of the quarrel with Rome. The young king was closeted with the Emperor’s ambassador.² When the ambassador had gone, the king stepped into his outer chamber or anteroom, and cried out to the lords assembled there—among whom was the traitor Bothwell, who reported the scene—“My lords, how much are we bounden unto the Emperor, that in the matter concerning our style, which so long he hath set about for our honour, that shall be by him discussed on Easter-day, and that we may lawfully write ourselves Prince of England and Duke of York;” to which the chancellor said, “I pray God I may see the day that the Pope confirm the same.”

This, if it meant anything at all, meant a great deal. Either it was the babble of a vain youth, who mistook the tenor of empty compliments, or it went deep into the very vitals of the political organisation and the political action of all Europe. At that period the political readjustments usually limited to the dreams of crazy visionaries, were entertained as practical possibilities by sagacious, far-seeing men. The “Holy Roman Empire,” in its etiquette and official phraseology, was still the Empire of the civilised world. Down to the Reformation, England had been loyal to the spiritual department of the Empire, though in the end she had been undutiful, adopting devious courses. There were men who thought a time had come for such resolute action

¹ There seems no better authority for this than Drummond of Hawthornden, but it commends itself to belief as in the true apostolic style.

² He is called Peter von Rosenberg, and it is said that he was “a Scotsman born.”—State Papers (Henry VIII.), iv. 598, 599.

as should put the world in order again, and realise the old principle of unity, "one God, one Emperor, and one Chief Priest." With these it was to come to pass in the ordinary course of events that the wicked Henry should be deprived of his authority, and they would feel quite justified in enticing the King of Scots to look to the vacant throne of England as the reward of patient perseverance in well-doing.

King Henry, on the other hand, showed himself urgent and anxious. He brought up two projects—the one that his nephew should go with him to France, on a rather vague-looking errand, to discuss with King Francis general questions affecting the interests of the three nations. The suggestion was distinct on one point, that if the nephew could not afford money for such a journey, the uncle would pay his expenses.¹ The alternative was a

¹ Henry thus directed Lord William Howard to press this matter to William Stewart, Bishop of Aberdeen, as an influential adviser of King James: "For the which considerations, and to the intent that at the said meeting such things may be determined as shall be for the wealth of those three princes, their realms and subjects, the king's said highness (as it becometh all good princes to do), devising how to nourish and entertain love, peace, and unity betwixt prince and prince, and to show the special zeal that he beareth towards his said good nephew, only coveteth and desireth to have his said good nephew present at the said meeting and interview. Which matter the said Lord William shall earnestly propose and set forth to the said bishop; and further shall say unto the said bishop that, in case the said King of Scots can be contented to conform and prepare himself to be at the said interview, it shall be great commodity and pleasure to the king's highness to have his said good nephew, whom he so much loveth and esteemeth, first to enter into this his realm, where he may both lovingly embrace, salute, and welcome him, and also gratify him with such pleasures and commodities as be within his said realm, and so to pass through the same with such company as shall like him, towards Calais, for the accomplishment of the said interview. And herein the said Lord William shall somewhat press the said bishop so to use his industry, and in such wise to counsel the said king his master, as may best conduce to the attaining of the king's highness's desire in that behalf. And after all those overtures made, in case the said King of Scots, or the said bishop on his behalf, shall say that the said King of Scots is not of hability nor yet well furnished for the said interview, then the said Lord William, on the king's highness's behalf, shall further say, that being none other urgent matter or consideration why the

meeting between the uncle and nephew in England. This was strenuously urged by King Henry, who was extremely angry when he found that the project, which had at first an appearance of success, fell through. From a celebrated letter of instructions to Sir Ralph Sadler, we may suppose that King Henry's object was to talk over his nephew, and bring him to correct notions concerning evangelical truth and the Papal power.¹ To his nephew he put the proposal in this general and attractive shape: "Dearest brother and nephew, because we doubt not but your wisdom doth right well consider that we have not condescended to this meeting for the treating of any matter of importance between us, our amity being already most firmly established, or the compassing of anything that might redound to our benefit and commodity more than to the satisfaction of our mind and affection, which, for the tender love we bear unto your person, honour, and dignity, hath been desirous to have a mutual conference and a most friendly meeting between us, whereby as either of

said King of Scots should refuse this interview, so it may please him first to enter this the king's highness's realm, and so to pass through the same as is aforesaid, his highness will not only take great pleasure and rejoice thereof, but also so ordain and provide for the furniture of the same meeting, as shall be both for their honours, and with small charges, especially for his said good brother and nephew."—State Papers (Henry VIII.), v. 3, 4.

¹ Instructions to Sir Ralph Sadler, given at the beginning of Sadler's State Papers, and more accurately in State Papers (Henry VIII.), v. 81. We have, at the same time, the following note of the contents of a letter of Henry to his nephew, which probably still exists, but is in an inaccessible repository: "He urges James to renounce the Pope's authority, and seize upon the churchmen's lands. In his instructions to Lord William Howard and the elect of St Asaph (*ad annum* 1535), he directs them, privily and as of themselves, to deal with James, and also with the queen-mother, and, as occasion should offer, with such of the nobility as they may think most proper, to shake off the Pope's authority and seize the Church revenues, for the honour of God, the augmentation of the honour of their sovereign, and the benefit that would ensue to them and the whole realm; but to keep themselves within such limits in the utterance thereof, and so to dissemble, as those with whom they should confer might not fish out the bottom of their breasts; as also to oppose and dissuade King James from marrying the Duke of Vendome's daughter."—Hamilton Papers, Maitland Miscellany, iv. 69.

us with the other should undoubtedly have had great consolation and comfort, nature having his operation and instinct in the same, so should our amity thereby have been, with the corroboration of our presences, much confirmed."¹

If this was all that he meant, it is safe to say that King Henry never would have taken the trouble which he did take in pressing this meeting. What his ultimate designs were are not known; but we know this, that King James believed the project to be a trick to bring him into his uncle's power. He charged his mother with connivance at the plot. King James had the better part in the controversy about this meeting.² He offered to go to Newcastle to meet his uncle; but Henry would have the meeting at York, and professed that his nephew had given something like a pledge to go so far into English ground. Whatever might have been said, however, he was tied up: his council were dead against his consenting to go farther than Newcastle.³ Beaton was influential in this council. If he was acquainted—as probably he was—with Wolsey's correspondence about himself, he might have found a strong case against the king trusting himself so far into English ground as to be beyond help from Scotland.

The marriage of the king seemed an event only protracted by the multiplicity of choice, and the conflicting urgency of his many friends. Out of Scotland there were advocates for the match with "the Lady Princess" of England, on the principle of snatching a brand from the burning—to rescue Henry's daughter from the judgments which her father's sins had brought upon the house of Tudor; and on this principle apparently the match was still spoken of by her kinsman the Emperor. But since there had arisen other heirs to the English throne, the rescue of the Princess Mary from her fate among heretics lost its importance by a rapid fall in the chances that such an event concerned the destinies of Europe. Another suggestion, apparently by the Emperor, was the daughter of Christian of Denmark; but here was the same difficulty

¹ State Papers (Henry VIII.), v. 45.

² Ibid., 46.

³ Ibid., 51.

—the match could only be worked to effectual purpose when Denmark was conquered and brought back to the faith. The Emperor then, we are told, offered his sister, the widow of the King of Hungary, and his niece, Mary of Portugal. As a political question, it was thought desirable at home that, as the English match had dropped out of the question, the king's marriage should be the means of restoring its old strength and closeness to the French league. Mary, daughter of the Duke of Vendome, of the Bourbon branch of the royal family, was finally selected, and the marriage was made matter of treaty by the king's ecclesiastical advisers.¹

In the thorough spirit of the knight-errantry of the age, James determined to set off to France as a private wanderer, and get a sight of his intended bride. He actually embarked at Leith, but the winds had in store a ridiculous termination to his adventure. It would appear that in any attempt to go southward there was imminent risk that he might be driven ashore in England, where the capture of a stray king of Scotland so achieved would have seemed a special gift of Providence. The only other alternative was to keep northward; so he drifted round Scotland, and landed in the Firth of Clyde. He reattempted the journey, but in a more solemn manner, taking with him a body of his advisers, in a small fleet fitted in regal style. The expedition sailed from Kirkcaldy, in Fifeshire, on the 1st of September 1536. There were six ships—one of seven hundred tons burden—and about five hundred people in all. They were seen passing Berwick, where they were the object of lively curiosity to the English authorities. It is from one of these that we have the above particulars, sent with a bearer, who can advertise "more large circumstances in the premises" to the person to whom the information is addressed. That person is "the Right Honourable the Lord Admiral, and, in his absence, Sir Anthony Brown, knight."² Of the heap of state papers in which it lies, this is the only one

¹ See the treaty at length, Teulet, i. 91 *et seq.*

² State Papers (Henry VIII.), v. 60.

addressed to the Admiral ; and why to him ? Doubtless it is about nautical affairs ; but they were affairs with which the High Admiral of England had no more concern than with the Danish traders in the Baltic. By rank and etiquette the Lord High Admiral was a sailor ; but it did not follow that he must be acquainted with navigation, and take so zealous an interest in it that the account of this expedition was sent to him merely to gratify his curiosity and interest in nautical affairs.

When the king reached France, and saw the bride intended for him by diplomacy, his affections turned to another—Magdalen, the daughter of the King of France. She had some years earlier been spoken of as a queen for Scotland, but was passed over as too young. She was brilliant to behold, in the hectic beauty of fatal consumption. Whether medical skill could so pronounce at the time or not, it would now pronounce that to remove this fragile flower from sunny France to sterile stormy Scotland, was only hastening its blight. Her father seems to have suspected so much, for he spoke of health as an obstacle to the match ; but King James was wilful and in love.

It was the desire of the King of France that every possible distinction should be conferred on the King of Scots. The French Court had at that time, following the example of the Imperial, become infested with obdurate, unpliant precedents and ceremonies. For these things the monarch who had done most to centralise France had a personal contempt, almost an antipathy. But they tended to preserve his innovations on the nobles and the burgesses by a sort of petrifying process. The record of these sacred institutions was deficient in precedents for a King of Scots come to marry a daughter of France. That august body, the Parliament of Paris, presented a serious memorial against a grievance, inasmuch as they were called upon to march in procession in their robes of state before the King of Scots, the presidents in their scarlet mantles and velvet caps. This honour, they affirmed, had never been before conferred on any foreign prince, but belonged solely to French royalty. But they got no redress. The king told them it was his will that the King of Scots,

being to marry a daughter of France, was to be treated as a French royalty; and the mortified lawyers had to content themselves with the consideration that a considerable time might elapse ere they could be again called on to walk before a King of Scots come to marry a French princess. The curious in such things may yet read the *procès verbal* in which the carrying out of the ceremony to the fullest of its details is certified and recorded as a precedent to last for all time coming.¹ It was talked of in the court gossip of the day that the King of Scots received the same honours in Paris as the Dauphin. But he seems, unconscious of his importance, to have gone shopping like any young provincial delighted with the gaudy merchandise of a metropolis; and he is described by an observer, not friendly, as "ordering himself so foolishly, with a servant or two running up and down the streets of Paris, buying every trifle himself—he weening no man knows him—wherefor that every carter pointed with their finger, saying, 'There goes le Roi d'Escoisse!'"²

The newly-married king and queen sailed for Scotland early in the spring of 1537. An incident was anxiously noticed on their voyage, which at the present day gives us a tantalising momentary glimpse into what may have been political conditions of extreme interest and importance. As the king's escort passed the Yorkshire coast, near Scarborough, certain gentlemen of the district, in the words of the reporter of the scene, "did come aboard the king's ship, and being on their knees before him, thanked God of his healthful and sound repair, showing how that they had long looked for him, and how they were oppressed, slain, and murdered, desiring him for God's sake to come in and he should have all." On passing another village, there was a like visit by gentlemen of the district, who "made like promises and complaint as the others aforesaid did, promising plainly that,

¹ Teulet, i. 122, 123.

² Letters by John Penman, printed in Pinkerton, ii. 490-494. Penman was a partisan of Angus, and had gone to Paris apparently to try to get some influence with the King of France to ask Angus's pardon from James.

if the said King of Scots would take upon him to come in, all should be his." It was further noted that King James himself, as he neared home, spoke some boastful words about breaking spears with England if he lived a year longer.¹ These meagre notices have no further relationship with distinct political movements than our knowledge that, in the north of England, Romanism was strong, and the chief families ready for rebellion against a Protestant establishment. The incidents have their chief importance from the shape in which they appear. They are collected with great care, and an anxious sifting of evidence, by Clifford, and they are communicated by him in a despatch addressed to King Henry himself.

The royal couple arrived at Leith on Whitsun eve, and were received with such display of welcome as Scotland could afford. But the poor exotic, brought into so chilly an atmosphere, withered fast; and at Midsummer the king buried the wife who had landed with him at Whitsuntide.²

The death of Queen Magdalen was followed by an event for which there must have been urgent reasons now unknown. Instant steps were taken for a second marriage.

¹ State Papers (Henry VIII.), v. 79

² Some items in the treasurer's accounts suggest that the ceremonial due to "a daughter of France" was both costly and troublesome. There are numerous payments for the horses and riding equipments of "the French ladies." A "lytter" and a "chariot" occur. But these are immediately followed by payments for the mourning ceremonials. The funeral, interment, or "tyrement," as it is called in the official documents, is reported to be the first occasion in which black garments were used in Scotland in token of mourning for the dead. The treasurer's accounts give ample evidence. Thus we have "the queen's nine pages' and three lackey's' black doublets, hose, and bonnets, Scotch black, French black, and Paris black, and thirty ells of 'Holland cloth' to be vails to the French ladies, and 'French lady's' dule gowns made in the fashion of priests' gowns,' white satin to be crosses upon the black velvet (p. 287-289). An ell of 'Paris black' to make shoes for the king's grace, and 'ane sadel covered with black of the new fashion' (p. 289, 290). On 19th September 1538 there is an entry of four pounds paid to 'Anthony Barbour, Frenchman, for the grathing and bowelling of the queen's grace, whom God assoilize.' - Pitcairn's Criminal Trials, i. *191, 192.

For this purpose an embassy was sent to France. At its head was David Beaton, then Bishop of Mirepaux. Their mission is spoken of as if they had the selection of the king's wife entirely in their hands; but we may presume that their master gave them some hints, touching his personal preferences, for their guidance. At all events, they brought over a bride destined to cut a figure in history. She was the widow of the Duke of Longueville, and daughter of the Duke of Guise. It was a memorable alliance; for the house of Guise had begun, and for nearly half a century continued, to play a game in which the stake involved supremacy over the continent of Europe. The marriage was celebrated at St Andrews in June 1538.

About this time there were some trials and executions for conspiracies against the king's life, as to which it will serve no good purpose to be minute, as the key to their origin and connection with passing events is lost. The only significant fact about them is that some of the victims were connected with the exiled Angus. One was the Master of Forbes—that being the courtesy-title of the eldest son of the Lord Forbes—who was married to a sister of Angus. He was charged with a design to shoot the king with a culverin as he passed through Aberdeen to hold a justice air, or itinerant court of justice; but it is odd that the annalists of the time give us no account of any general conspiracy, of which such a project might form a part. Another offence charged against him was that he had conspired for the destruction of the Scots army at Jedburgh—that is, that he was one of those who would not follow Albany into English ground on that memorable occasion.¹ For that offence every one having any command in the large army was amenable; and it is clear that in the prosecution of Forbes this affair was only referred to to give weight to other accusations, and to get a punishment inflicted for something quite different from a betrayal of the Scots army. He was executed. Another victim was a far more interesting person. She was the Lady Glammis and the sister of Angus. The charge against

¹ See chap. xxxi.

her was that she had "conspired and imagined the destruction of the most noble person of our most serene lord the king by poison." Some incidents in the criminal records look as if there had been a set against this lady. She had been charged at an earlier period with the "intoxication" of her first husband—a ludicrous term now, but serious then, for it meant poisoning. That ever there was such a charge against her we only know by jurymen having been fined for failing to attend when she was indicted, as if they avoided participation in the proceedings against her. Naturally it may be said that they should have attended, and acquitted her if guiltless; but the crown had invented a new crime, and prosecuted jurors for acquitting when they ought to have convicted—hence absence was perhaps the safer policy. There are traces of more than one other instance in which she underwent legal harassment. On the final charge, the savage sentence of death by burning was passed on her, and it was carried out.¹ The historian of the house of Douglas says: "She was burned upon the Castle Hill, with great commiseration of the people in regard of her noble blood, of her husband, being in the prime of her years, of a singular beauty, and suffering all, though a woman, with a manlike courage—all men conceiving that it was not this fact, but the hatred the king carried to her brothers, that had brought her to this end. Her husband, seeking to escape over the wall of the castle, fell and broke his leg, and so died."² Three years later the histories mention another treason-trial, of which nothing but the bare results are known. It befell James Hamilton, generally called the Bastard of Arran, an illegitimate brother of the earl. Like some other members of the chief houses born under similar stain, he had the fortune to acquire great estates, so as almost to rival the head of his house, and the bringing him to trial was set down against the king among the oppressions with which he pursued the nobility of the land. The offence charged

¹ See the collection of documents on this tragedy, in Pitcairn, i. 183 *et seq.*

² Godscroft's House of Douglas, 261.

on him was that, in league with Angus, he had planned to murder the king. He was found guilty, and beheaded.

There were other trials and executions, of which we know little in a contemporary authentic shape, save the broad fact that the crime of the sufferers was a participation in the new heresy. The particulars are buried in the mystery common to the proceedings of the ecclesiastical courts. Five of them suffered by fire on the Castle Hill in February 1539. They seem all but one to have been ecclesiastics of humble grade. At this time we find Norfolk announcing to Cromwell that "daily cometh unto me some gentlemen and some clerks, which do flee out of Scotland, as they say, for reading of Scripture in English, saying that if they were taken they should be put to execution. I give them gentle words, and to some money."¹ It was in close connection with these events that David Beaton had now got to the height of his power. On the death of his uncle, James, in 1539, he became Archbishop of St Andrews. He had been made a cardinal some months earlier, when he began duty as his uncle's coadjutor. After presiding at the trial of the Protestants, he set off on one of his scheming missions to France and Rome. He was deep in Italian and French politics—more, indeed, of a Frenchman and a servant of the Guises than of a Scotsman. To a dislike of this man, with his foreign influences and leanings, we may attribute much of the reaction which was soon to appear.

Appropriate to these ecclesiastical affairs is a curious letter by Sir Ralph Eure, addressed to Cromwell in 1540, about the feeling of the Court as to the religious discussions of the time. There was a certain Thomas Bellenden, of a gentle and sage conversation, whom he gathered to be a man "inclined to the sort used in our sovereign's realm of England." This man told him "that the King of Scots himself, with all his temporal council, was greatly given to the reformation of the misdemeanours of bishops, religious persons, and priests, within the realm; and so much that, by the king's pleasure, he being privy there-

¹ State Papers (Henry VIII.), v. 154

unto, they had an interlude played on the Feast of the Epiphany of our Lord last past before the king and the queen at Linlithgow, and the whole council, spiritual and temporal, the whole matter whereof concluded upon the declaration of the naughtiness in religion, the presumption of bishops, the collusion of the spiritual courts, called the consistory courts in Scotland, and the misusing of priests." The narrator went on to say that, at the conclusion of the piece, the king addressed some of the bishops who were present, exhorting them to reform their fashions and manner of living; telling them that, if they failed to take heed, he would send half a dozen of the proudest of them to be dealt with by his uncle of England.¹ This man of gentle and sage conversation had come to the conclusion "that the King of Scots is fully minded to expel all spiritual men from having any authority by office under his

¹ It is generally believed that the "interlude" performed on this occasion was Sir David Lindsay's celebrated satire of 'The Three Estates.' Though it specially exempts the monarch from its assaults, yet, at any court with higher notions of the divinity that doth hedge a king, Lindsay's rough way of giving counsel and encouragement would be counted as at least making too free with royalty. The sovereign of the piece is "Correction," who announces that—

"Na realm nor land, but my support, may stand,
For I gar kings live into royalty
To rich and poor I bear an equal hand,
That they may live into their own degree
Quhare I am not, is no tranquillity
By me traitors and tyrants are put down,
Quha thinks no shame of their iniquity,
I'll they be punished by me, Correction
Quhat is a king? Naught but an officer
To cause his lieges live in equity,
And, under God, to be an punisher
O! trepass urs against His majesty"

The king, who is present, has not always acted up to his duty; for he is told—

"Get up, Sir King! ye have slept aneurh
Into the arms of Lady Sensuall
Be sure that more belongs to the plough,
As afterward, perchance, rehearse I shall
Remember how the King Sardanapall
Among fair ladies took his lust so lang.
Sa that the maist part of his lieges all
Rebelled, and syne him doolefully down dang."

The great point is that the king shows symptoms of reformation, the churchmen show none.

grace, either in his household or elsewhere within the realm, and daily studieth and deviseth for that intent."¹ It is certain, however, that no such studies had an opportunity of showing practical results; for he was at that time at odds with all who could serve him from the civil ranks, and virtually in the hands of the clergy. The Englishman's informer was perhaps, on the whole, rather sanguine.

In the Parliament of 1540, the Church showed the influence it had acquired, and strengthened its hands for the acquisition of more. The laws for the suppression of heresy were vague, and if a powerful party hostile to Rome were to arise—and such a party was now growing—it might be unsafe to interpret these vague laws at the stake. The legislation of the session was thus a testimony alike to the power and to the apprehensions of the churchmen. In the book called the '*Regiam Majestatem*' it is laid down in the briefest form that heretics should be burned; but there is nothing to define heresy, or authorise trial and execution.² In an Act of the year 1424, filling three lines in the statute-book, it is enacted "anent heretics and Lollards," that each bishop shall make inquisition, and that "they be punished as law of haly kirk requires," and, if necessary, "that secular power be called thereto, in supporval and helping of haly kirk."³ The titles of the Acts of 1540 are peculiarly descriptive of their object. One is "for honour to the holy sacraments," another, "for worship to be had of the Virgin Mary;" another, "that no private conventions be made to dispute in the Scripture;" and in the body of the Act the word "conventicle," afterwards notorious, is used. One Act, not exceeding thirty words in length, denounces the "pain of deid" or death with confiscation of goods to any one who impugns the power of the Pope. Out of the confiscations rewards are to be given to those who denounce heretics.

¹ State Papers (Henry VIII.), v. 170.

² After specific provisions about the classes of criminals who can claim sanctuary, came the words, "*Sed heretici debent comburi*" —Reg. Maj., iv. 53.

³ Scots Acts, ii. 7.

On the other hand, an Act was passed calling on the Church to strengthen itself by casting forth its abuses, "that because the negligence of divine service, the great dishonesty of the kirk through not making of reparation to the honour of God Almighty and to the blessed sacrament of the altar, the Virgin Mary, and all holy saints,—and also the dishonesty and misrule of kirkmen baith in wit, knowledge, and manners,—is the matter and cause that the kirk and kirkmen are lightlied and condemned; for remeid thereof the king's grace exhorts and prays openly all archbishops, ordinaries, and other prelates, and every kirkman in his awn degree, to reform themselves, their obedienciaries and kirkmen under them, in habit and manners to God and man."¹

Ever since his return from France an exceeding close watch was kept on the motions of King James. The eminent Sir Ralph Sadler was sent as an ambassador to Scotland, with distinct and full instructions. That sagacious man had a clear eye for all that was going on around him; but men of lower position, who would take less scrupulous means of obtaining knowledge, were sometimes required. As it always is with a spy system, we find continual traces of the starting of alarming suspicions. Clifford writes, that since the king's return from France he has never given himself to any princely pleasure, having abandoned all the dissipated frolics for which he had so keen a relish, and is gravely occupied with arranging the ordnance in Dunbar, Tantallon, and other castles. His motions are mysterious. It is told how he, "at least twice every week in proper person, with a privy company of six persons and himself, repaired secretly by night, at the hour of twelve of the clock or after, to his said Castle of Dunbar, and there so continued sometimes by the space of one day, and sometimes of two days, and returned by night again, and hath put all his ordnance there in such case that the same are in full and perfect readiness to be removed and set forward at his pleasure."²

¹ Act. Parl., ii. 370.

² State Papers (Henry VIII.), v. 94.

It is the function of a spy always to have, if possible, something important to tell. Perhaps the zeal and activity of King James about the fortifying of Dunbar was nothing more than the eagerness of a young man to put a new acquisition to its legitimate use. The French garrison continued to hold that fortress until its evacuation was bargained for by King James himself on his marriage sojourn in Paris. It had been garrisoned by poor De la Bastie, murdered more than twenty years earlier. That it should be permitted to remain so long in the hands of foreigners is a remarkable instance of forbearance towards a people who, although aliens, were national friends; but the Scots never liked the arrangement, and were ever uneasy at the castle being so held.¹

Next, a spy had beheld "eight gentlemen of Ireland with the king, who brought unto him the seals under writing of all the great men in Ireland, that they would hold of him, and take him for their king and lord, and that they would come into Scotland to make him homage, and that he should have more profit yearly than ever the king's grace our master had of them."² The spy said they got great encouragement from the king. There was some truth in the story. Against the Irish chiefs there had been dealt a new blow from England, by King Henry taking the title of King of Ireland instead of Duke only, as of old. What encouragement they received from King James is not distinctly known; he was probably sufficiently imprudent. But whatever he promised, he was afterwards charged with disappointing their expectations.

It was coupled with the rumours about Ireland, that the king was fitting up a fine fleet; while others said he

¹ "A legge ayond Pontloyes I mette with my Lord Askyne and the Abbot of Couper, makynge hast to the Newhaven to pass in Scotland in oon of the kyngs' sheppes, to receave Dunbarr to the Kyng of Scotts' use, with all the implements thereof." This is written by the partisan of Angus already referred to (p. 166), who thought the affair of Dunbar so important that he was in doubt at first whether it was that alone or a matrimonial project that took King James to France.

- Pinkerton, ii. 490-493.

² State Papers (Henry VIII.), v. 178.

intended to sail to France for the attainment of some mysterious purpose or other. It was reported that "the number of the ships are sixteen. They be as strongly furnished with all the best ordnance, harness, and habiliments of Scotland for strength as can be devised, and with that as gallantly trimmed with painting and gilding—the like has not been seen in Scotland. The number of men that passes is three or four thousand, as it is said; and they be chosen and tried of the best as well for their persons as for their substance to furnish themselves."¹ The sailing of this fleet was delayed by the prospect of a domestic event. It was realised on the 22d of May 1540, by the birth of a prince and an heir to the throne. The king and his gallant fleet then started on an expedition of exploration round Scotland. The fleet sailed along the east coast until it reached Orkney, where the hospitalities of the bishop were welcome and the ships were re victualled. There was then a run through the Pentland Firth, and a visitation of the Western Isles or Hebrides, where the king saw many of the chiefs and other leaders. There had been recent turbulence and bloodshed there, as there always was; but the days were past when a potentate, holding the influence of the old Norse kings, could have defied a king of Scotland with a fleet as strong as his own. It happened, indeed, that Donald Gorme, the last man to make war as a representative of the Lords of the Isles, had been killed in a manner which showed how poor a chance there was in the contests of the day for those who made war in Highland fashion. Professing to besiege the Castle of Elandonan, in Loch Duich, in Ross-shire, an arrow entered his foot. It was torn out, but being barbed, it lacerated the flesh, so that Donald died.²

The chiefs and leaders offered their duty and submission in their usual profuse manner. The king took possession of some of them. In dealing with the Highlanders and Islesmen, he required no writs or other forms such as the Lowland lairds and burgesses stood by. Several of them were brought southward in captivity, but no cruelty

¹ Pinkerton, ii. 180

² Cf. *ibid.*, 145.

seems to have been used. There had been now pretty long in use a policy already alluded to, of taking "brughs" or sureties for Highland clans—a like process to the compelling of a turbulent person to keep the peace, and owning the same legal pedigree. Obtaining these sureties on a large scale appears to have been the chief political result of the expedition, but there was another of more permanent moment. For pilot or admiral of the fleet there went a man of distinguished nautical science in his day, Alexander Lindsay. His notes were worked up and systematised by Nicholas d'Arville, who bore the title of Cosmographer to the King of France. The fruit of their joint labours forms a remarkable achievement in hydrography, and surprises any one casually looking over it by the precision with which it records the topographical features, especially the dangerous ones, of that long seaboard from Leith round by the Orkneys and Hebrides to the Mull of Galloway.¹

In due time a second son was born, to guarantee in a manner the succession to the crown. But the future was doomed to be dark. Death became suddenly busy with the royal house of Scotland, as it had been in that memorable period of calamity before the War of Independence. The first to fall was Queen Margaret; she died at Methven, in Perthshire, in October 1541, and was laid with great ceremony in the vault of the Carthusian house in Perth, beside the bones of James I.² Hers had been a troublesome, and, in a great measure, a mischievous life. In her latter days she had fortunately nothing to say in politics, and she only made herself felt by her frantic efforts to get herself divorced from her third husband. The infants' deaths, following immediately on hers, were far more momentous. The younger prince died first, then the elder. It was a serious blow to the

¹ 'The Navigation of King James V. round Scotland, the Orkney Isles, and the Hebrides or Western Isles, under the Conduct of that excellent Pilot, Alexander Lindsay, methodised by Nicholas d'Arville, Chief Cosmographer to the French King, 1718.' For a general account of the expedition see Lesley, p. 159 *et seq.*

² Pitcairn's Criminal Trials, i. 318.

country, which, it will be observed, had with strict constitutional loyalty kept the heir of the throne, however young and feeble, as the monarch of the country, in whose name all the power of the nation was exercised. They had done so faithfully by the children of kings whose claim could not be doubted, but it would be hard if this faithful spirit of adherence to a constitutional rule should be set adrift, to be tossed about in a conflict among distant collaterals.

This, however, was not the shape which the difficulties of the country were to take. However the king may have personally felt the bereavement, he had put himself in a position to realise that its political effects were very terrible. He had stirred up powerful elements of opposition; and when men have powers of this kind in their hands, nothing is so apt to stimulate them to mischief, in a monarchy, as the prospect of an uncertain or disputed succession. King James began business as a king with insults and injuries to the chief territorial lords. They might be deserved or might not; either way, they made, as we have seen, determined enemies. His short sojourn in that kingdom which Louis XI. had organised did not improve him as a ruler for Scotland. All he saw there would be subservience at Court. This was compensated to those who paid it by a full swing of tyranny over their own vassals in the distant provinces. This latter phenomenon would not have pleased King James, if we take the popular estimate of his character; but he would have no opportunity of seeing the French crown vassal among his peasantry. What he did see in Paris was a centralised power in the monarchy, making contrast to anything he had to show at Holyrood or Linlithgow. It might be said on his return that, if he had chastised the Scots aristocracy with whips, he now chastised them with scorpions. He had in his hands a process not unusual in Scotland both with monarchs and subjects. By the ordinary law, the heir, when he came of age, was entitled to review every alienation of property or other transaction relating to his affairs done during his minority, and to revoke any that he could prove to be prejudicial to his

interests. King James issued such a revocation. In itself it might be little more than a form ; but it was said that he pushed it to the letter, and virtually confiscated many fair estates. He thus succeeded in planting hatred in the hearts of men who were not accustomed to let that passion vegetate unfruitfully.

On the other hand, his uncle, Henry, was becoming more and more dictatorial, insisting on conformity with all his own ecclesiastical escapades. Under the clauses in the treaties that all criminals should be given up on either side, he demanded that the religious refugees who had fled to Scotland should be put at his mercy ; but in this matter the Scots Government were commendably firm. King Henry again proposed a meeting at York. His nephew agreed to it, stipulating that he should have a safe-conduct, "in ample form and most honourable manner," under the great seal and the sign-manual.¹

King Henry travelled in due state to York, but no King of Scots came to meet him there. A disappointment of this kind is known as a sore trial to the best of tempers. There is the journey wasted, the intended business untransacted, and a certain consciousness of being befooled ; but, gravest of all, the unpunctuality of the King of Scots was equivalent to a charge of treachery against the King of England. It would tax a very strong imagination to realise the effect of all this on such a temper as Henry had. Fury took possession of him—fury which nothing but war could satiate. It was not to be a war for merely humiliating and wounding, but a war for conquest, with the alternative of extirpation ; the country whose monarch had done him such dishonour was no longer to have a name in history.

In fact, King James's advisers had misgivings, and would not let him go. Childless as he then was, the stake which the nation had in him was too great to be perilled. Even if there were no premeditated treachery, it was dangerous to trust their treasure in the hands of a man like Henry.² They might remember what that prince so like

¹ State Papers (Henry VIII.), v. 199.

² Ibid., v. 214.

him in character, Charles the Bold of Burgundy, had done by Louis XI. Of these two it would have been of Louis that any one would have predicted treachery; yet, from infirmity of temper, the Duke so acted as to bring disgrace upon himself, and make the old fox who was plotting his ruin seem the victim of a generous and confiding nature. Comines was of opinion that princes should never meet; the temptation of such an occasion was too much for human nature.

But in reality King James's advisers were influenced by something more distinct than general principles of prudence. They distrusted his uncle's faith.¹ How far they had reason on their side, perhaps a small transaction of the period may show.

The state papers of the times let us see that the English spies were sedulous about James's motions and habits, especially how he lived and where he took up his abode when he hunted, as he sometimes did, in Meggetland and other border districts. The following extract from a memorial addressed by the English Council to King Henry throws so perfect a light on the object of these inquiries as to leave nothing for conjecture and no room for comment. After dealing with another matter of no moment, the paper proceeds:—

“Now, sir, to the second, concerning the King of Scots. Surely, sir, we take it to be a matter of marvellous great importance, and of such sort and nature, considering it toucheth the taking of the person of a king in his own realm, and by the subjects of his uncle, not being in enmity with him, but resting upon his answer and the sending of commissioners for all matters which hath been in question between you, that, unless your majesty had commanded us expressly to consider it, we would have been afraid to have thought on such a matter touching a king's person, standing the terms as they stand between you.

“But, sir, we have also weighed that matter after our simple wits and judgments accordingly, and we find in it many difficulties.

¹ State Papers (Henry VIII.), v. 214.

"First, we consider that the castle whereunto he resorteth is [] miles within the ground of Scotland.¹

"We consider, also, that the country between that and England is too well inhabited, that it should be very difficult to convey any such number of men to the place where he should be intercepted, but the same would be discovered.

"We consider again that Dumfries, one of the best towns in Scotland, is in that part where the enterprise should be done; and the country so inhabited at their backs, that, if it were done, it would be hard to bring him thence, especially alive.

"Now, sir, for the dangers of it. If the thing should be attempted, and by treason discovered—as we think surely it could not be done but some Scots must be of council—and the party thereupon taken and enforced to confess their purpose, what slander should grow of it, yea, what deadly feud should ensue of it, your majesty's high wisdom can much better consider than we can think or devise.

"On the other side, if they should take him, it is undoubtedly to be thought that either he shall be rescued and the party also apprehended, or else in the tumult he shall be in danger of his life amongst them. And what peril and slander is in either of these parts your wisdom can best consider.

"Therefore, sir, the dangers and difficulties be so great herein, and the matter of such weight, as we dare not give our advice to the following of it, but rather think it meet, under your majesty's correction, that Wharton, who hath, we think, had a good meaning in it, should nevertheless surcease, and make no living creature privy to any such matter, unless by your commandment; upon other matter, hereafter he should be further advertised."²

So clear an exposition of the immeasurable turpitude

¹ Probably Caerlaverock, on the Solway.

² State Papers (Henry VIII.), v. 204, 205. By Wharton having had "a good meaning," we should perhaps understand that he was a promoter of the plot to kidnap King James.

and folly of their master's proposal is creditable to the Council. But one is apt to be surprised at the gratuitous courage shown in their touches of subtle irony about what his majesty's wisdom can see better than they can.

King Henry now declared war. He accused James of breaking his faith about the meeting, and of connivance with his Irish rebels. There was a third cause, which might have rendered all others unnecessary—he was determined to assert the old right of superiority. History affords no more remarkable contrast than is found between the stealthy, subtle, patient approach which King Edward made to the same object, and the sudden impetuous rush of King Henry. There was no preparation in the phraseology of diplomacy, or in the performance of small acts inferring homage and service on one part and protection on the other. In fact, the demand was not for mere feudal superiority, but absolute possession. The first step was a letter to the Archbishop of York by the Council, who thought this a less perilous and discreditable matter than the other. They state the resolution "to have the king's majesty's title to the realm of Scotland more fully, plainly, and clearly set forth to all the world;" and the archbishop, Lee, who is understood to be learned in such matters, is ordered to assist in making out a case "with all convenient expedition."¹ He rested his claim on the old story of Brutus with his three sons, Locrin, Albanac, and Camber, and so downwards, just as we find it all already set forth by Edward I.

There was another cause of anger and alarm. Cardinal Beaton was then abroad negotiating dangerous combinations among the great powers with whom his high position and foreign connection gave him influence. To this mission no allusion is made as a cause of war; but that Henry and his Court were well acquainted with it we know from this, that they made zealous but ineffectual efforts to catch him in his voyage across the Channel.

In August 1542 a commission was issued to put the array of the northern half of England at the disposal of

¹ State Papers (Henry VIII.), v. 213.

Norfolk, who was instructed "with the same, not only to defend his majesty's realm against the Scots, but also to invade the realm of Scotland, for the most annoyance of the said Scots, and the destruction of their country, to give them the battle, or for any other purpose, as long as he shall think requisite and convenient."¹

The king's impatience, however, seems to have been too ardent to give time for the assembling of this large force. The war began with a border inroad. Norfolk was ordered to destroy all the castles on the Scots side, and was enabled to give the cynical answer that there were none—he had himself destroyed them all twenty years ago. Three thousand horsemen, under Sir Robert Bowes, who had Angus and his brother with them, went to harry Jedburgh. Some of the Homes and other borderers met them on the way at Hedenrig, and there attacked them with great success, taking six hundred, including the leader, and driving the rest who were not killed to flight.

This seems to have fulfilled the measure of Henry's wrath. He issued a long address in vindication of his conduct, representing himself as a meek and patient Christian, who had long borne the insults and injuries of a nephew on whom he had heaped distinguished favours and kindnesses. He marvelled, indeed, how it was possible for so much wickedness to exist where he ever "trusted the tree would bring forth good fruit that was of the one party of so good a stock"—a graceful allusion to the virtues of his sister.² To give a more practical shape to his feelings of sorrow and indignation, he sent an army of thirty thousand men northwards. It was an act of rash fury: there was no commissariat for them—the country was bare; and after Norfolk and others were put at their wits' end to prove that there was nothing to eat, and neither men nor horses could be kept together without food, the army was disbanded. Meanwhile there

¹ Hamilton Papers, 70. "Which commission your lordship must cause to be sent by some very honest man to be sworn to the secrecy of it."

² Hall's Chron., 844. This document may now be found in a book more likely to be in the reader's hands—Froude, iv. 182.

was a muster on the Boroughmuir, and the king led a respectable army southwards. It had reached Fala Moor, when the news came of the dispersal of the English army. The conditions were now altered, and the question before the leaders was not the protection of Scotland, but the punishment of England. On such an errand they refused to follow the king, to his deep vexation. They founded, as on former occasions, on the limits of the feudal obligation. They were bound to arm, and follow the king in the defence of Scotland; they were not bound to assist him in the invasion of another country.

Still, though a serious invasion could not be attempted, it was resolved to send a party, said to be of ten thousand men, across the western border. They passed the Esk and entered English ground. There a strange fate befell them. Among his other weaknesses, the king was detected in making a favourite of a certain Oliver Sinclair. This person he appointed to command the expedition. He was raised upon a sort of platform, and began to read his commission. The leaders received it with an indignation that brought them together in angry talk, forgetting all discipline and caution. Dacre, who was hovering near with a small body of men, to his surprise saw the Scots army in utter disarray, not caring for the cause, he seized the opportunity of the moment, and dashed into what he found a confused rabble. There was a general scattering right and left, and several prisoners taken. Such was the affair of Solway Moss.

The king was in Caerlaverock Castle, near the scene of the disaster. In deep gloom he went northward to the palace of Falkland. There he was smitten by one of those mysterious ailments of which physicians of the present day can scarcely say whether they have been wrought in the mind or the body, and still less could those of the period decide. The dying man was told of the birth of a daughter on the 7th of December. He is said to have murmured, "It came with a lass, and it will go with a lass," in allusion to the throne coming to the Stewarts by a daughter of Bruce. He was not to know that the fragile guarantee for the continuation of his race was to give it

more renown than all the line of hardy high-spirited men it had successively given to govern Scotland. A weary spirit and infirm body reacted on each other, and he died on the 14th of December 1542.

What he was as a ruler, the present narrative ought to show. He was affectionately remembered by his people as "the King of the Commons." History told that he had been no friend to the nobles, and tradition mixed him up with many tales of adventure among the peasantry, who not less enjoyed their memory that they were not always creditable to him. It was, perhaps, from these incidents of his popularity, that he long held a place in literary renown as the People's Poet. 'Christ's Kirk on the Green' and 'The Gaberlunzie Man' are rhymed pictures of Scots peasant-life, so full of lively description, and broad, vigorous, national humour, that in popular esteem they could only be the works of "the King of the Commons;" but this traditional belief lacks solid support. He was reputed to have a passion for magnificence in attire and sumptuousness in household gear. Some items of expenditure in the treasurer's accounts of his reign would seem to confirm this character, though it is difficult to draw general conclusions from such a source.¹ In his voyage among the Western Isles in 1540, there are charges for damask and silk hangings for two cabins and beris, and for pavilions to be erected on islands where he and his attendants might land. There are many entries for decorations of gold and precious stones—rubies, diamonds, sapphires, pearls, emeralds, and turquoises. There is a basin of gold weighing ten pounds, as to which it is asserted, on the authority of a practical goldsmith, that such an article at the present day would cost more than £700.²

¹ "Illustrations of the Reign of King James V., selected from the Accounts of the Lord High Treasurer of Scotland."—Pitcairn's Criminal Trials, i. 259 *et seq.*

² *Ibid.*, 295.—We have twelve ounces of unmolten gold added to "the king and the queen's graces crowns," 322. He gave 273 crowns of the sun for tapestry of the "antique history" brought from Flanders, 312. It seems to point at a fastidiousness not common to the

We find through his expenditure traces of courtly pageants and processions, and also of the motley entertainments in which jesters, fools, and beings conspicuous for physical peculiarities the reverse of the graceful and beautiful, took part. Conspicuous among these is a court fool of the female sex, a thing unusual at least, if not unexampled.¹ There is a mimic siege and defence where the missiles of the hostile parties are eggs, and in their requisitions they seem to have been like genuine belligerents, somewhat unscrupulous, for there is an entry of compensation to certain women who came to the king weeping about their abstracted eggs.² There are many payments

age in Scotland, to find "three ells small Holland clath" "to be shaving clathes to the king's grace," 284. There is an entry of certain ells of black velvet for a coat and pair of hose "of the Italiane fasson," 322. He was pious in his splendours. We have many entries for decorations to religious houses. There is "a relic of St Duthoc set in silver weighing above 36 ounces." There is an entry of silver and gilding for a shrine for "ane bane of St Mahago;" and immediately after, a payment for the materials of a like depository for "ane bane of St Adriane of May."—*Ibid.*, 283, 306.

¹ There is a payment to a "fule callet Gille Mouand," supposed to have been so named for his genius in making mous or grimaces, 271. There are items for the support of oddities of several kinds, as for cloth "to be ane coat, hose, and breeks to the little Turk," 308.

² "Gevin for eggis to bikkir the castell xvs vi d." "Item gevin at the kingis command till puyer wivis that come gretand apone his grace, for eggis takin fra thame be his servandis."—*Pitcairn*, i. "271. It is rare to find the Treasurer's items telling a story so distinctly as these. There are some others, however, that seem to refer to such acts of kindly courtesy and humanity as are, all over the world, irresistibly attractive when done by royal hands. There is a payment "to ane auld failyet man in Striveling called Alan Stewart, in almshous" which sounds large—"13 pounds, 6s. and 8d.," 276. There is another of 3 pounds "to ane poor man whois horse fell over the castle wall at Striveling and brak his neck," *Ibid.* There is an item of 40 shillings "to Walter Cuninghame's wife, in Striveling, for ane kow whilk the king's grace slew with ane culvering," *Ibid.*, 279. The occurrence at Stirling of the misfortunes so compensated suggests their connection personally with the king. There is a sum exceeding a hundred and thirty pounds as "tocher-gude" or dowry to the daughter of David Falconer "by the king's command, because the said umquhile David was slane in his grace's service," 324. One benevolence has an odd mystery about it. It is a sum "delivered to two poor women" for

for the equipments and properties required for the "Robin Hood Games"—a pastime or pageant generally supposed to be peculiar to England—and among these, and entries for the cost of horses and hounds, and of the king's hunting in Meggetland, there is an item of twenty pounds to Master John Ballantyne "for his translation of the Chronicles,"¹ and the same sum "for his labours done in translating of Livy."² The king was a lover of music, and his personal expenditure gives us money expended on performers, and on instruments for his own use.³ A contemporary, indeed, tells us that he was a musician, and had "ane singular good ear, and could sing that he had never seen before, but his voice was rauky and harsh."⁴ From the character of his life, he would, according to modern notions, be called a profligate. Unless he had been gifted with special asceticism, he could not well have been otherwise; for a great tide of profligacy had then set in upon Scotland, and the clergy were the leaders in it. From his own mother he had but a poor example set before him, and both had in them so much of the blood that Henry VIII. inherited.

So the historical epoch of "The Jameses" came to its end. Restless as it had been, it left, deep buried out of sight, the seeds of events more tragic and tempestuous than any it had witnessed. Looking to the country they governed, in fact, their age is a cheerful period in the his-

two "ky" or cows, "the time that the man was burnt for heresy in Cupar," 247.

¹ Ibid., 276.—This is the translation, with variations and additions, of Hector Boece's history, occasionally referred to in this work.

² Ibid., 282.

³ A payment to an Englishman for material to make viols for the king's grace, *ibid.*, 285. Several entries of lute-strings by dozens. Ten pounds to "ane Ireland Clairschochar" or harper. "Item to Jakkis that plays upon the violis," 316. There are three successive entries "to four min-trels that plays on the violis," to four that plays on "the trumpets of war," and performers "on the Swische Taburne," 314.

⁴ The voucher for this is Thomas Wood, Vicar of St Andrews, who arranged or edited a Psalter in 1566, of which an account is given by David Laing, *Ant. Soc. Scot.*, vii. 445.

tory of Scotland. 'Through all its passionate and bloody restlessness the country was advancing in wealth and strength, and taking a place for itself among European powers. It is over the personal history of the kings themselves that there hangs a gloom. Not one of them had lived to pay the simple debt of human life to the natural laws of vitality. Battle and murder and sudden death had swept away four of them : the fifth died of a spirit broken down by the weight of calamities.

CHAPTER XXXIV

REGENCY OF ARRAN.

THE CONDITION OF THE COUNTRY—THE INFANT QUEEN—THE REGENT ARRAN AND CARDINAL BEATON—THE QUEEN-MOTHER, MARY OF LORRAINE—THE DETERMINATION OF HENRY VIII. TO MARRY THE QUEEN TO HIS SON—HIS THREATS—ANGUS AND THE CAPTIVES AT SOLWAY MOSS—HOW THEY BECAME "ASSURED" TO SERVE KING HENRY—SIR RALPH SADLER RETURNS—FINDS THE PEOPLE DETERMINED AGAINST ENGLISH INTERFERENCE—"THE ASSURED LORDS" WILL GET NO OBEDIENCE FROM THEIR OWN RETAINERS—THE OFFERS TO ARRAN—CARDINAL BEATON'S IMPRISONMENT—TREATIES FOR THE MARRIAGE—THE CUSTODY OF "THE CHILD"—NATIONAL SUSPICIONS—SEIZURE BY HENRY OF SCOTS VESSELS—NATIONAL OPPOSITION TO A TREATY—POSITION OF DOUGLAS AND THE LORDS "ASSURED" TO HENRY.

AGAIN came the fatal conjunction of thirty years earlier—the death of a king, and a disastrous battle. Of those thirty years, for scarcely ten was the sovereign a man of adult age; and now the country was to be ruled in the name of an infant seven days old. The disaster of Solway Moss was, however, of smaller account than that of Flodden. The country had not lost a generation of its leading men, and was sound at heart. The firmness of its constitution was at once shown by the machinery of government going straight on, without check or tremor, in the name of the infant. In her there was, again, a symbol of authority to be scrambled and fought for; but matters went more decorously than in former minorities. It was not by barefaced acts of the character of theft or robbery that possession of the queen and the supreme power was obtained. It was said, indeed, that there was an attempt to

procure the desirable acquisition by a forgery. Arran told Sir Ralph Sadler that Beaton claimed the custody of the royal infant as bequeathed to him by the late king, and produced a written testament under his signature, which, as Arran believed, was either absolutely forged or obtained by fraud.¹

Even had it been genuine, however, it would have told for nothing against the will of the Estates, who let the Earl of Arran step into the regency as his hereditary right. Now that Albany was dead without issue, Arran, as head of the house of Hamilton, was next heir to the throne in the manner already mentioned.² The infant remained at Linlithgow, where she was born, in charge of her mother, aided by a council. This division of charges followed a rule in the Scots law of private property. The estates of a minor are managed by the nearest relation on the father's side, who is, or may become, the minor's heir. This person has thus the chief interest to preserve the estate. In the matter of the preservation of its owner, however, his interests are supposed to be adverse; and therefore the custody is given to the mother, or the nearest relation on her side.

The Earl of Arran, who was now to be chief ruler, was a good, easy, pleasant man, notorious for fickleness. So early as the year 1525, the English emissary, Magnus, describes him as "strong of men and of good substance in goods, and liveth in order and policy, as is said, above all other here, most like to the English manner; he is noticed some deal variant."³ Eighteen years later, Sir Ralph Sadler said he was spoken of by the nobles as "a very gentle creature, and a simple man, easily to be ruled."⁴ And Mary of Guise, a very competent judge, said of him, 'He is assuredly a simple and the most inconstant man

¹ " 'He did counterfeit,' quoth he, 'the late king's testament; and when the king was almost dead,' quoth he, 'he took his hand in his, and so caused him to subscribe a blank paper'" - Sadler State Papers, i. 138.

² See chapter xxix

³ State Papers (Henry VIII.), iv. 289.

⁴ Sadler State Papers, i. 75.

in the world ; for whatsoever he determineth to-day he changeth to-morrow." ¹

King Henry, when he heard of the events in Scotland, seems to have instantly leaped to the conclusion that he should have the infant queen as a wife for his son Edward. He had then in his possession Angus and the prisoners taken at Solway. By his peculiar method of rapid reasoning, he concluded that these men might be made admirable agents for accomplishing his plan. Angus had ever pleaded that the true way to have good service of him was to get him restored to his position in Scotland. On the occasion of King James's marriage trip, he pressed that the English ambassadors in France should get the king to intercede with his son-in-law for the restoration. They were to represent that Angus was an ill-used man—the victim of malicious tongues, who had "never offended" against his country ; and in the letter in which he desires his conduct to his country to be so represented he says, "If we were at home in our country, we might do the king's grace better service than we do here, and without charges ; where now we put his grace to great charges, and may do him but small service." ²

Immediately after the death of King James, Angus was sent back to Scotland. His forfeiture was reversed by Parliament, a testimony not so much of the willingness of the Estates to aid Henry, as of their sense that their late king had been harsh and vindictive. Along with Angus came his brother, Sir George, and the Lords Cassilis, Glencairn, Fleming, Maxwell, Somerville, and Oliphant. These had come under obligations to do their utmost for the designs of Henry—to get the infant queen and the fortresses of the country placed in his hands. Each of them was required to send a son or other near relation to the English Court, as a hostage for his fidelity. Henry still retained a large body of the captives taken at Flodden, and it were pleasant could it be recorded that if he tampered with these others he failed to gain them ; but we

¹ Sadler State Papers, i. 115.

² State Papers (Henry VIII.), v. 61

have only the neutral evidence in their favour that they were not bought. Of those who were, it is but a questionable apology to say they had made a bargain which they knew they could not fulfil. For Angus, the great leader of their offences, there is more to be said than for the others. He took up the position rather of an independent power than of a subject. His actions were not to be dictated by duty as a common citizen, but by diplomacy as a power. A crooked diplomacy, no doubt, it was; but, in dealing with a bargainer like Henry VIII., there was little encouragement for honesty.

Early in 1543, Sir Ralph Sadler was sent to Scotland to see what speed these emissaries had made. He had but a poor account to render. Lord Lisle had questioned a sagacious Scots priest about the prospects of Angus on his return. "He said that all Scottishmen do say that if he will come home and take their part against England, he shall have all his houses and lands restored to him; and unless he will not so promise and be bound, he saith that all the country would be against him."¹ As Sadler by degrees discovered, this was a result which worked itself out naturally, without any obligations or promises. It was now fifteen years since Angus had been in Scotland at the head of his vassals. They fought for him willingly against his master, the King of Scots. If, in contradiction to the tenor of all Scots history, he could ever have got them to fight for England, the feudal hold that could have produced such a phenomenon was now loosened. When Sadler asked him what he was doing, he admitted that as yet it was nothing. "I am not," he said, "fully established here. I am but newly restored to my possessions, trusting to be every day more and more able to serve his majesty, as I shall ever be a true Englishman, and faithfully serve the king's majesty while I live, to the utmost of my power."² Angus was in a different position from his associates. He was known as a friend of England, and distrusted, until he should show by positive acts that he

¹ State Papers (Henry VIII.), v. 238, 239.

² Sadler State Papers, i. 75.

had returned to his allegiance. The others were not so deeply committed as enemies to their country, or so closely watched. Still they had done nothing for King Henry, and their apology was that they must wait, and conduct themselves in the mean time like good patriotic Scots, otherwise they might never have an opportunity of serving their master.

Much historical ingenuity seems to have been wasted in accounting for the curious events of this period. Now, it is the cunning of the cardinal, and the seductive duplicity of the queen-regent, working on the vacillating mind of Arran ; next, it is the deep plotting of Angus or Glencairn. But there was, in reality, a force to which all such matters of personal character or capacity were trivial—the force of a unanimous national ardour beating as with one heart. This might be in some measure led or controlled, but no man could dare to face or thwart it without courting immediate destruction. Its direction was a deep determined hatred of England. Looked at as a feature in European history, the policy of Scotland may seem fickle and unsteady. Looked at from the country itself as a centre, no policy could have been steadier and more simple. It was the policy of the watchdog, who has nothing to do but to protect, and who flies at all comers having evil designs, whether it be the masterful robber coming with avowed force, or the prowling thief who professes innocence and kindness.

The reason why, thus actuated, the people held by France and hated England, may be briefly put as follows from the tenor of the abundant state papers of the period. England never loses sight of the policy of annexing Scotland. Whether her attitude be menacing or alluring, her object is the same. Like the Greek before Troy, her very gifts were the object more of terror than of gratitude. By nothing but the strong hand and the suspicious temper could Scotland save herself on that side. As to the French, perhaps they were insolent and contemptuous ; when they showed such a spirit, they got as good as they gave. Personally they were not much liked when they came to Scotland. But they had never shown designs on the

national independence.¹ On this, the vital point, there was nothing to fear from them. Soon afterwards we shall find a change here. There arose serious fears of the French designs, and then the country recast its external politics, as a vessel trims its sails when the wind changes.

So when Sadler, in his anxious investigation, penetrated downwards from that surface in which he knew that there were professed friends of England, he found that, as the political strata became broader, the hatred of England advanced to unanimity. The divided feeling among the great, the unanimous determination among the humble, was very happily expressed to him by George Douglas, stepping along with him after he had presented his credentials, that they might have a chat with each other. Sadler was keenly questioning his man, to find out why it was that little or nothing had been done for the great object. Douglas had the unanswerable defence of impossibility. If there were an attempt at dictation from England, "there is not so little a boy but he will hurl stones against it, and the wives will handle their distaffs, and the commons universally will rather die in it, and many noblemen and all the clergy be fully against it."² Douglas suggested a

¹ As Sadler, after having had a good deal of experience of the country, very well said: "As far as I can see, the whole body of the realm is inclined to France, for they do consider and say that France requireth nothing of them but friendship, and would they should continue and maintain the honour and liberty of their realm, which of themselves they naturally do covet and desire. France, they say, hath always aided them with money and munition, as now they have promised more largely by that which they have brought. Whereas, on the other side, England, they say, seeketh nothing else but to bring them to subjection, and to have superiority and dominion over them, which universally they do so detest and abhor, as, in my poor opinion, they will never be brought into it but by force. And though such noblemen as pretend to be the king's majesty's friends here could be contented, as they say, that his majesty had the superiority of this realm; yet I assure your lordship, to say as I think, there is not one of them that hath two servants or friends that is of the same mind, or that would take their parts in that behalf."—Sadler to the Privy Council of England, State Papers, i. 326.

² Sadler State Papers, i. 70.

course at variance with Henry's prompt and violent ways. He recommended patience and coaxing, and, as a preliminary, "the subjects of both the realms having liberty to have intercourse, and to resort one with another without safe-conduct, which shall engender a love and familiarity betwixt them." And further, "the noblemen and young gentlemen here repairing from time to time to the Court of England, being well entertained there, as the king's majesty of his gentle nature can well entreat them, yea, and the governor himself also coming to his majesty as he hath promised; these things in time shall bring the nobility of this realm so far in love with his majesty, that he shall have the whole direction and obedience of the same at his pleasure."¹

To his friend Lord Parr the perplexed and baffled ambassador gave his mind distinctly and shortly. "I have travailed here, as much as my poor wit will serve me, to decipher the inclinations and intents of these men here towards the king's majesty; but the matters are so perplexed, that I know not what to judge of them. In mine opinion, they had liver suffer extremity than come to the obedience and subjection of England. They woul have their realm free, and live within themselves, after their own laws and customs."² One would almost think, from the tone of this, that the ambassador's English heart beat in sympathy with a people so sore beset, yet so true to themselves.

Even by the polite and easy-minded Arran, one of whose many defects was a disinclination to contradict where he should have contradicted, nothing was accepted that put the independence of the country in question. In allusion to a great offer made to him, he said, as the ambassador reports it, "I am bound to creep on my knees to do his majesty service for his great clemency and goodness extended towards me therein. Wherefore, forasmuch

¹ Sadler State Papers, i. 70. King Henry's "gentle nature" sounds like a touch of sarcasm on the part of Douglas, but it meant hospitality and good-fellowship, in which Henry abounded.

² State Papers (Henry VIII), v. 271.

as I remember well you told me, that the king's majesty, in case I should go through with him upon all other matters, had resolved on this marriage if I should desire the same; therefore it is meet that I should desire it. So when all those matters be concluded, or at a good point (which there is no doubt but we shall easily agree upon, unless the king's majesty go about to take away the liberty and freedom of this realm, and bring the same to his obedience and subjection), I shall then send to his majesty to desire the said marriage for my son."¹

The bribe which the ambassador was empowered to offer to him, whether in sincerity or not, was brilliant enough to dazzle the eyes of any object. It was the hand of the young Princess Elizabeth for his son. This son we shall afterwards find, in his craze, playing fantastic love-tricks on Queen Mary. What effect it might have had on history, had Queen Elizabeth, in her early youth, been bound to such a husband, it is open to all speculators to guess. All we have at present to do with the offer is to notice that it had little influence.

Arran's facility was of a kind exceedingly provocative to people having designs. It was a facility that yielded only to his own comfort, not to co-operation in what was desired of him. He was neither to be led nor driven into activity. To the offer that should have astounded and secured him, he did nothing but mumble his humble gratitude—he announced no purpose. As he diverged into other talk, the ambassador had to bring him back to it. "I returned then to the matter we were in before, and asked him, what I should write to your majesty of his answer to that overture of marriage which your highness hath in such sort made, as I had declared unto him? He put off his cap again, and prayed me 'to write unto your majesty, that he most humbly thanked the same a thousand times for the great honour it pleased your highness to offer unto so poor a man as he was, and that he would communicate the same to his most secret and trusty friends, as to his brother and Sir George Douglas, and not many

¹ Sadler State Papers, i. 139.

moor: whereupon, or it were long, your majesty should know his whole mind and resolution in that behalf.' And finally, he prayed me, on his behalf, 'to render most humble thanks to your majesty for the great goodness and clemency you did show to his said brother and the other gentlemen which were lately with your majesty;' which I told him I would do accordingly, and so we departed. I intend diligently to solicit his further answer to this overture of marriage, which had, I shall advertise with such diligence as appertaineth."¹ But when he did return to it, he got nothing but the general remark above cited, that all would go well, accompanied by the disagreeable allusion to designs against the independence of Scotland, which could not but prick a tolerably good conscience like Sadler's. Afterwards interpreting some misty admissions by Arran into a promise to help in subduing the country southward of the Forth, he made an offer in return, that, when "the child" was obtained, Henry should help to make Arran king over the rest of Scotland on the marriage of his son to the Princess Elizabeth. If this project was seriously entertained, the development of it would have been that the Tudor dynasty would have ruled the country to the Forth, and a daughter of King Henry, with the representative of the house of Hamilton for a husband, would have been queen in the north.² But with this, too, Arran trifled in his curious vague way. At another meeting he asked Sadler, What was it that King Henry proposed to do for him beyond the Forth? A second time the patient ambassador fully explained it; "whereunto he answered, 'That your majesty had devised such honour for him and his posterity, as for ever he is obliged to your highness for the same. Marry,' he said, 'all his lands and livings lay on this side of the Forth, and he would not gladly change for any living beyond the Forth.'" He further represented that at that time an advance of £5000 would be much more acceptable and useful.³

Sadler felt it to be a heavy impediment to any progress in the great matter, that the Estates had appointed am-

¹ Sadler State Papers, i. 131.

² Ibid., 253.

³ Ibid., 256.

assadors to England before his arrival, and had given them their instructions. When he pressed to know what these were, he was met not by silence or reserve merely, but by rebuffs and strong hints that from such a quarter such inquiries were impertinent and obtrusive.¹ Nevertheless, there was one momentous point—the key-stone of the whole policy of his master—on which he was determined, if possible, to get light. Was “the child” to be immediately given up to Henry, or was she not? Appearances were against the Scots taking a sensible view of the matter, and complying with the demand; even Arran, at first thought, said, “For the deliverance of the child out of the realm, till she should be at the state and age of marriage, he thought it so sharp and unreasonable that he could not agree to it.” “Whereunto,” says the ambassador, “I pressed him by all the good means and persuasions I could, insomuch as I drove him to say ‘he could not answer me, and that he would not reason the matter with me, but refer it to the States and Council of the realm, without whom he did nothing; and if they would agree to it, he would not be against it.’”² This was the key-note, indeed, to all he could get on that point. The people he spoke to had no special objection themselves to part with the child, but the country was so unreasonable about the matter, that it was useless to attempt to get the thing accomplished; to advocate it, would only bring one into mischief and do no good.

Sadler resolved to work out this important question at its foundation. He had no doubt that the queen-mother, Mary of Lorraine, was the great instigator of those who were for retaining her daughter in Scotland. Sadler waited on her, prepared to deal with her accordingly. But, to his amazement, he found her the only reasonable person in the country. She was delighted with the project for her daughter's instant removal, and would do all she could to aid it. She was glad to see him, for she desired to let his majesty know the designs of those who were her enemies and his; and she did so in this wise, “that the

¹ Sadler State Papers, i. 79.

² *Ibid.*, 154.

governor, whatsoever pretence or fair weather he made unto your majesty, minded nothing less than that her daughter should marry into England, and so had himself told her; and this much more, that, for to please your majesty, they would offer unto the same that there should be a contract made of the marriage, but they would have the custody of the child till she should be of lawful age; by which time God might dispose His pleasure of your majesty, being already well grown in years; and then they would handle it so as that contract should serve to no purpose."¹ Yes, she felt the warmest gratitude to Henry, the most profound thankfulness that her daughter had the prospect of such a protector. She wished she could go to England too, for she was surrounded by enemies, and indeed in great danger. And, having this in view, she hoped the ambassador would keep, as a dead secret from every one in Scotland, that which she had imparted to him; her life might be the forfeit were it revealed.

This woman belonged to a political school of which Sadler had not much experience. Its dissimulation was deeper and its mendacity broader than any that the Englishman was accustomed to. The means by which the queen proposed to carry the project of sending her daughter to England might have awakened his suspicion. The cardinal was in prison at that time, or was said to be so; and this was one of the very few items in the condition of affairs that appeared satisfactory to Sadler. It was therefore an unexpected turn when the queen, after strongly expressing the urgency of the child's instant removal, said, "The cardinal, if he were at liberty, might do much good in the same." I told her I thought the cardinal would rather do hurt, for he had no affection towards England. She said, 'He was a wise man, and could better consider the benefit of the realm than all the rest.'"² From this Sadler formed a poor opinion of the queen's sagacity.

There was one point on which she showed candour,

¹ Sadler State Papers, i. 85.

² *Ibid.*, i. 86.

whether she was led to it by policy or by motherly feeling. It had been hinted that "the child" was very sickly, that she was not likely to live long, and it were pity to make so frail a creature a ground of contention. Then there was a suspicion that if her death, likely soon to come, happened in England, a changeling might be set up in her stead, and a beggar's brat might take the place of the descendant of a hundred kings, and do the vile work of England. That he might judge how false all this was, the mother gave the ambassador the amplest means of ascertaining the infant's physical condition, and enabled him to say, "I assure your majesty it is as goodly a child as I have seen of her age, and as likely to live, with the grace of God."¹

The disappointments and perplexities of the ambassador were increased by the affair of the cardinal, which took an unpleasant shape. The chief charge laid against him was that he had connived with the great French leader, the Duke of Lorraine, the queen-dowager's brother, to bring a fleet from France to overawe the Government, perhaps to carry off the queen. This was an attempt to set up the dread of French against the dread of English intervention. The time was not yet ripe for such an alarm telling. Some years afterwards it could have proved effective, but the conditions which made France dangerous and odious had not yet arrived. One day several strange sails were seen in the Firth of Forth. "There comes the French fleet!" cried the alarmists. But they were answered by a discovery as surprising as it was exhilarating. The strangers were a Scots man-of-war, with several English merchantmen in tow, prizes taken before an armistice had been arranged. So entire a failure was the attempt to frighten the country about French interference, that Sadler's special friends told him how "the whole realm murmureth that they had rather die than break their old leagues with France."² No French force intruded on the country till it was devoutly desired and anxiously expected.

The chief charge against the cardinal thus fell through.

¹ Sadler State Papers, i. 88.

² *Ibid.*, 163.

Of the forged testament we hear nothing but the dubious statement of the governor. There was thus no strong wish among those in power to punish him. The method of his imprisonment was suspicious. He was sent to Blackness, on the south coast of the Firth of Forth, under the custody of his friend and steady follower, the Lord Seton. Sadler was afterwards astonished to hear that the cardinal was removed to his own fortress of St Andrews. The reason given for this was that Blackness, being near Edinburgh, was too accessible. St Andrews was more remote and secure. It was on the German Ocean, too; and the prisoner could, if need were, easily be removed thence to Tantallon or Dunbar. Sadler was at liberty to consider this a suggestive hint, and to add Berwick if he pleased.¹ On the other hand, hints are thrown out in the correspondence of the day, that the imprisonment of the cardinal was a pretence from the beginning, and done merely to get him safely out of danger of being kidnapped by English emissaries.

Sadler was naturally at a loss to see how a state prisoner could be more securely kept in his own fortress than in a state prison. It presently appeared that he was master of his own castle, and of much beyond it; and all the satisfaction the ambassador could get from the regent was: "Touching the cardinal, he said he was as evil served in that matter as ever was man, for he had committed him to the keeping of the Lord Seton, who standeth bound in his life and inheritance for his sure keeping; 'and yet, nevertheless,' quoth he, 'the cardinal is master of his own house where he is, and has his liberty as well as you or I.'" Sadler urged the matter further, and desired to know if any steps were to be taken; but he only got from the regent that "he was at his wits' end in the matter; but he would devise with the Council thereupon, and see what they would determine."² Sadler had a further testimony to the cardinal's restoration to freedom and position in a courteous invitation to visit him at St Andrews, "offering his lawful service unto the king's majesty"—that is to

¹ Sadler State Papers, i. 89.

² *Ibid.*, 130.

say, such service as consisted with his Scots allegiance—"and whatsoever stead or pleasure he might do me in those parts."¹

It will be remembered that there was then a sort of party in Scotland who were termed, in the ambassador's letters, "his majesty's prisoners," or "the assured Scots," and by others "the English lords." These were the prisoners taken at Solway whom King Henry had released on promise of service to him. One of them, and the cleverest among them, Glencairn, had a conference with Sadler. He spoke of the obstinacy of the country against Henry's very reasonable propositions, an obstinacy that had carried the facile governor with it. He was apologetic about "his majesty's prisoners" being unable alone to do anything in his cause. They were powerless, in fact, unless he sent a force; then they might aid it. In the mean time it was a question whether they should render themselves back as prisoners, or wait the coming of an English army, with the view of bringing their feudal followers to co-operate with it. And here he made some suggestions, which surely must have raised suspicions in the ambassador. The governor had taunted them that, although he knew they were bound to England, yet their feudal following would come out for him and Scotland when there was an English invasion. Glencairn's comment on this was, that the fact of their eldest sons being detained as hostages in England was much against "his majesty's prisoners" being able to bring out their vassals in his cause; and it would strengthen their hands if the hostages were released. When they found that there was reluctance to comply with this proposal, there was complaint made rather haughtily, and "with a great oath," of unjust suspicions entertained against them by the King of England.

The affair of the French alliance had much the same course as that of the sending of "the child." There were no words strong enough to express devotion to King Henry and aversion to France. Each one promised this

¹ Sadler State Papers, i. 187.

line of conduct for himself, but when it was put that the ancient league should be abandoned and superseded by a league with England against France,—no, that they dared not do, it was useless to speak of it in the present state of feeling ; King Henry must be content with their private, personal, and absolutely secret intentions in his favour.

About the month of May affairs began to have a rather more hopeful look—a very fair compromise seemed obtainable. Sadler had managed, by patience and hard work, to obtain an idea of the instructions to the Scots ambassadors, and they were not so extreme as he feared. He satisfied himself, too, that they might without risk go a little further in Henry's direction even than their instructions warranted. He implored his master to be reasonable and yield a little, that he might gain more in the end. They would not and could not immediately give up "the child," nor could they abjure the old French league. He besought the Privy Council to deal with the king, keeping in view that "if it may please the king's majesty to embrace and accept that which now may be obtained without force, I see great likelihood and appearance that within a little time his majesty shall be able to work what he will in this realm at his grace's pleasure ; and may, in my poor opinion, by gentle means have all the nobility of the same induced to his own will and devotion."¹

On the 1st of July 1543, two treaties were adjusted in London ; one for an alliance between England and Scotland, the other for the marriage of Prince Edward to the Queen of Scots. The treaty included the allies on both sides, and France was named among the allies of Scotland. Thus Henry had not carried his point of the abjuration of the old league ; yet the Scots ambassadors were charged with yielding more than they had a right to yield when they did not insert the old positive clause of King James IV.'s day, which required Scotland to attack England whenever there was war between England and France. On the other more essential point of giving up "the child," there was also a compromise. She was to be given up at

¹ Sadler State Papers, i. 187.

the end of ten years, and then the ceremony of marriage was to be performed. It was to be a real marriage in face of the Church, not a mere contract, though of course the young people would continue to live apart, and the Scots princess was to take rank as Queen of England. George Douglas got the credit of suggesting the ten years' suspension, and of illustrating the wisdom of the plan by an Oriental story. A slave condemned to death engaged that, if his execution were postponed for ten years, he would, ere that time elapsed, have taught the Sultan's favourite donkey to speak. There were three events likely to occur in that period—the Sultan might die, so might the donkey, so might he himself. Six Scots nobles were to be sent to Henry's Court as hostages for the performance of the stipulations by Scotland. One of the professed reasons for demanding immediate delivery of "the child" was the desirableness that a queen of England should be fostered in English ways and live among English people. To do what was available for this end, she was to have somewhat of an English household; an Englishman of rank, character, and becoming gravity of demeanour was to be at the head of it, and he might have his wife, or, if need be, other gentlewomen, to fill the female department.¹ The treaty contained full and clear

¹ See the treaties, *Fœdera*, xiv. 788, 796. Sadler and his wife were offered the chief places in this establishment. In acknowledging the offer, which, as we shall see, there never was an opportunity to fulfil, Sadler says, "I have thought it my bounden duty to render unto your royal majesty my humble and lowly thanks upon my knees, for that it hath pleased your majesty to conceive such an opinion of us as to think us meet to serve your highness in a place of such trust and credit." Strong expressions like these are apt to precede a difficulty. Sadler evidently thought there was little prospect of domestic comfort and happiness in their joint elevation to so perilous a post. He therefore gave reasons against the arrangement, which, whether justified or not, were of a kind to be conclusive; his wife was not a person whose condition and breeding would suit so courtly an office. "She is most unmeet to serve for such a purpose as your majesty hath now appointed, having never been brought up at Court, nor knowing what appertaineth thereto; so that, for lack of wit and convenient experience in all behalfs, she is undoubtedly not able to supply the place to your majesty's honour."—Sadler State Papers, i. 229, 230.

stipulations for the preservation of the independent sovereignty and name of Scotland as distinct from England, and for the retention of the crown by the heirs of the queen, should there be no descendant of the marriage to inherit both crowns.

The supreme influence which the nationality above referred to exercised on the history that has now to be told, makes it unnecessary to load the narrative with movements which otherwise might have been of interest. These are the external efforts which the several parties made to show their power in bringing out large followings. There were musters in the interests of "the cardinal," others for the governor and his friends, and others again for what was felt more than seen to be a party separate from either, the Douglasses and "the English lords." These demonstrations and threats were of much interest at the time, when no one could tell the shape events were to take. Had the result been a civil war in which these forces were ranged against each other, their nature and divisions would have been interesting still, and it would have been proper to unravel all the confused notices of musterings and marches. But the question of national independence or national degradation, which resolved itself into the question of the French or the English interest, swallowed up all others; with whatever purpose raised, all available forces amalgamated into a national army, and especially every effort to raise a force to further the purposes of England, ended in a blank.

There was, however, one feat accomplished by a party muster which deserves to be separately mentioned. Until the month of July 1543, the infant queen remained in Linlithgow, where she was born. The beautiful palace there was not strong, and, in the critical condition of the time, the governor and his friends came under suspicion for retaining the precious infant in so insecure a place. There was a great meeting of the cardinal's party at St Andrews. Here there were several feudal chiefs, who, after council held, dispersed to their several countries, Highland and Lowland, and "ilk ane gathered their own folks." There were among the leaders the Highland potentates Lennox,

Argyle, and Huntly; from the border came the Homes, the Kerrs, and the Scotts. These altogether made an army between ten and twenty thousand strong, quite irresistible to any force which the governor or "the English lords," were they to act with him, could show. This host took peaceful possession of the queen and her mother, and removed them to Stirling, which, from vicinity to the Highlands and distance from England, was held to be a safer place of refuge than Edinburgh.¹ The Estates, which met in December, ratified this stroke, declaring that those concerned "did no thing contrary to the queen's authority, my lord governor's, and the common weal of the realm."²

The formal adoption of the treaty was evidently a great relief to the lovers of peace, dreading what might come of the fierce impatience of Henry and the proud obstinacy of the Scots. But there speedily arose a heavy cloud. Short as the Scots commissioners had come of the demands of Henry, they had gone too far for the popular view of the national honour. By Scots practice, the treaty had yet to be ratified by the Estates; and it was a question whether the Estates would ratify it, or dared do so if they would. Under ordinary conditions, ambassadors might virtually pledge the Government, and the revisal of their engagements by the Estates might be a mere form. But in a case where the national spirit was roused, as it now was, it was far other than a mere form. The ambassadors, it was said, supposing that they had not absolute authority for what they had consented to, had yet in their act followed up the line of policy prevalent at the meeting of the Estates by which they were commissioned. But, on the other hand, it was maintained that this was but a meagre and partial assemblage of the representatives of the country. If the momentous character of the business brought together a fuller meeting of the Estates, they were not only technically and legally entitled, but in duty bound, to revise what had been done by the commissioners.

¹ *Diurnal of Occurrents*, 28.

Act. Parl., ii. 429.

Such difficulties seemed to be all over when the king received a letter from his ambassador, saying, "Please it your royal majesty to understand that this day the treaties were ratified and confirmed here in Edinburgh, and the governor in my presence hath renounced and sworn, according to the purport of the same, which was solemnly done at the high mass, solemnly sung with shalms and sackbuts, in the Abbey Church of the Holyrood House. And although the cardinal and his complices were absent, yet the thing was done with their consent, and in the name and by authority of the queen and three Estates of the realm, in presence of the greater part of the nobility of the same, and notaries also present, which have made their instruments thereupon, as shall appear to your majesty by the said treaties, wherewith the governor sendeth presently in trust a gentleman to your majesty, named the Laird of Fyvie, who is a right honest gentleman, and well affected to your highness; and he is sent to be present at the ratification and oath to be made by your majesty of and upon the said treaties accordingly."¹ This letter was dated on the 25th of August 1543. On the 5th of September the ambassador had to announce "a wonderful change here," interrupting all his business. "For the governor being left here alone, saving only the Abbot of Paisley and David Panter, which are suspect to be of the cardinal's faction, is now revolted unto the said cardinal and his complices." The governor, it seems, had slipped out of Edinburgh, under pretext of domestic anxieties. At the Lord Livingston's house of Callander, where a few friends of both parties were assembled, the cardinal and he shook hands, and agreed to co-operate on the common ground of opposition to English interference.

Such was "the revolt" of the governor, as Sadler calls it; for throughout this correspondence everything done against Henry by the Scots whom he expected to serve him is spoken of as a sort of rebellion or treason against him. A revulsion so sudden and seemingly unexpected,

¹ Sadler State Papers, i. 270, 271.

and that by a responsible statesman, has excited much speculation about the motives or conditions by which he was influenced. Was his conduct all dissimulation, inso-much that, when he took his solemn oath to the treaties in presence of the ambassador, it was all done to lull suspicion and facilitate a deep-laid plan of treachery? Or was it that he was so facile that he was prevailed on to change his whole policy by the persuasive talk of two clever friends of the cardinal? It may be noted that they were persons of whom Arran must have had considerable experience. The Abbot of Paisley was John Hamilton, his illegitimate brother, a man who will appear again in shapes not of a pleasant kind. The other, David Panter, was an eminent scholar, and a diplomatist, in the old sense of the term, as a man able to put political proceedings into good Latin.

We shall perhaps find our conclusions more satisfactory if we limit the influence of Arran's character to the shape of the affair, especially its extreme suddenness, and count that the position ultimately taken was the inevitable result of a great national pressure. A man with more firmness and more scruple than Arran might have put the revolution into a better shape. He might have seen it from afar, and have conformed here and resisted there, so as to have moulded it into something looking like a policy of his own. Or he might have resisted it, and been crushed. Neither of these courses suited Arran's temperament. He felt the pressure, and gave way at once at the point where he felt it too strong for him. He would not be put out of office for resisting what was easily done; he soon after showed that he would not stay in office to do what was difficult. He therefore let things take their course. Afterwards, he kept as much as he could out of sight of the English ambassador, and, when they needs must meet, he laughed off the whole, and took everything good-humouredly.

At a later time this conjunction of forces is spoken of as one of the interruptions of the Reformation; but with that great movement it had no concern. No doubt, had Henry had his will, he would have forced all his own

views on Scotland, and, in resisting him, the country, in an ultimate sense, resisted these; but the simple question of foreign rule, not the religious opinions likely to follow that rule, was the question before the country. However the doctrines of the Reformation might be creeping into opinion, they were as yet a still small voice, not sufficient to affect in any way the loud demand of national independence.

The position of Scotland in relation to the treaty now was, that any approval of it had been carried in a packed Parliament, and was void. A full meeting of the Estates would now be held, and it was believed that such a meeting would be hostile to the treaty. Before it had even come to this, Henry was irritated by delays and general appearances; and the utterances of his wrath are perceptible in the state papers, like the growling of distant thunder. He chafed angrily at the demands, modified as they were, of the Scots ambassadors, and at the disposition of his servants to abate his own demands. He was impatient to get rid of these home difficulties, and begin his war in France. This very impatience seems to have induced him to submit to the modification; but when he found that the humiliation he had submitted to was thrown away, that impatience turned the fiercer. Of all ways of dealing with the difficulty, he seized that which, looking to the nature of the people he had to do with, was the very worst. He swore that he would take to force and seize "the child;" he would drag her out of the strongest fortress they could hold her in. It was useless for his advisers to tell him that such a project was vain. Mischief enough he might do, but he would never get the child; for if the force he sent were sufficient to threaten the fortress in which she might be defended, she would be spirited away into the distant wilds of the Highlands—a district as impenetrable to an English army, almost as unknown, as the interior of Africa.

In his fury he could not await the usual arrangements for a war, but made a dash at any act of injury to Scotland close at hand. He ordered the seizure of certain Scots merchant vessels, running from stress of weather

into English ports, in full reliance on the protection afforded to them by the truce. This was done, of course, through the ordinary forms for such a purpose, and in ordinary conditions might be spoken of more aptly as the doing of the Government rather than of the king. But this and many like acts were Henry's own work. On Scotland he could let loose his fury without the risks incurred nearer home. The elements of the English constitution were strengthening during the Tudor dynasty, tyrannical and autocratic as its action might sometimes appear to be. For the freedom of the subject, the protection of property, the exemption from arbitrary taxation, there were great constitutional barriers. It was ever the terror of Henry's advisers that, in his fury, he might break through these, and perhaps meet destruction. War with Scotland was a good safety-valve for this explosive power. Long enmity had given the people a strong national hatred against the Scots, and some brilliant victories had given a proud tradition to a Scots war. Every one knew that however an invading army might suffer in Scotland, that country had not strength enough to do solid mischief within England. There was thus no fear of retribution for any mischief, however desolating it might be, inflicted on Scotland; nor was there much anxiety about observance of the laws of war, or any other laws there. Henry had thus one field in which, when he could get at it, he was tolerably free to let out his fury.

Such accounts as Henry got of his friends in Scotland served rather to feed his anger than to allay it. The "assured Scots," or "English lords," were to bring a great force of retainers to his aid. The watchful Sadler, however, could find no better evidence for the existence of this force than the many demands of the lords for money to pay them. Though he excuses them for not making a wanton display of their musterings, yet he notices that they do not "bring any force or number of men with them, but only their household servants."¹ It was his opinion, from all he saw, that Henry, if he were to make

¹ Sadler State Papers, i. 313.

up a force for an invasion, had better fix its scale without trusting to aid in Scotland. He would wish "that his majesty should send no less power to repress and daunt the untruth of this nation than if his majesty had no friends here at all, for there is none assurance to be made of their assistance."¹

A sort of committee of the English border leaders gave their opinion to Henry touching the prospects of an invasion. Among them were Sir Thomas Wharton, Sir Ralph Eure, and Sir John Louth—men of experience in the affairs of the border. As the groundwork of their opinions, they say, in words not to be mistaken, "We did consider and take all Scotsmen to be as enemies to the king his highness. We think that and if the army do invade, they must destroy and waste for their own reliefs and other occasions all enemies and friends together in their way. Wherefore, and for the king his majesty's better service in that point amongst others, we think not convenient that the said army should invade this winter, lest it should make enemies of friends, if there be any; for by the invasion of the army we think it will occasion all Scotsmen, and especially the whole common people, to band with all their force together to be against all Englishmen within their own realm; for we all have heard say, by divers and many Scotsmen, that they all will join together in their own realm against all Englishmen. And some of us knoweth as it hath been said that if main invasion be made, that there are Scotsmen will refuse their own masters within their realm against Englishmen."² He was warned precisely in the same tone by his faithful Suffolk; but his obstinate fiend had then such possession of him that he answered the admonition by dismissing the admonisher from his lieutenancy.³

¹ Sadler State Papers, i. 292.

² State Papers (Henry VIII.), v. 341.

³ "Most humbly beseeching your highness of pardon for that I shall declare my poor opinion what I think, as far as my power will extend unto, that annoyance by sea could do your highness's enemies, which is only the burning of Edinburgh, if the castle will not yield, which I fear me will not; but I think it must be won by force, which

We are accustomed to believe that at that period the feudal system was rigidly in force in Scotland, and that all the common people were at the bidding of their territorial lords. The correspondence of the time, however, is full of evidence that the feudal authority would have been found utterly insufficient to draw any of the common people to help an English invasion. The governor, in one of his oscillations, had admitted to Sadler that the use of five thousand English soldiers would be a convenient help in bringing the difficulties with the cardinal to a conclusion. But presently Sadler has to report: "Touching the English men-at-arms," he said "that he and other your majesty's friends here had well debated that matter in council, and with good advertisement they had found that if it came so to pass that they must seek for aid of Englishmen, it would not then be the number of five thousand that should help them, for the bringing in of five thousand Englishmen should cause twenty thousand Scotsmen forsake them and run to their enemies; assuring me that, whensoever they brought in Englishmen, all their

I fear the army, which shall go by sea, will not do. And, also, the said army may destroy, on both sides the Forth, such places near unto their ships, as footmen may do, having neither horsemen nor carriage; which, when it is done, your majesty, not offended, shall be never the nearer of your highness's godly and noble purpose; nor these that counteth themselves your majesty's friends, if ye have any there, either to be helped or relieved thereby, but rather to be in the worse case. For, as I think, all Scotland will say, What false traitors are these? or, Unhappy men are they, that will take the King of England's part, or think that the King of England intended any good to the young queen his niece, or the realm of Scotland, but only to the destruction of the same. By reason whereof, after Edinburgh so burnt, your highness shall have nothing in Scotland but by the sword and conquest. For I think that they which show themselves most assured to your majesty, after that done, will show themselves your highness's enemies to the uttermost of their power. And if this way of invasion by land shall stand with your majesty's pleasure, it should be requisite, as I am sure your highness can most prudently consider, to appoint my Lord of Hertford and some good and wise men of experience, for the ordering and conducting the said army; as also to give him good counsel (for there is little help in these parts) how he should use the Scots; for they are strange men to meddle with, and little to trust to" - *Hamilton Papers*, 90, 91.

own friends and tenants, or at least the greatest number of them, will utterly leave them.”¹ And again: “Though such noblemen as pretend to be the king’s majesty’s friends here could be contented, as they say, that his majesty had the superiority of this realm, yet I assure your lordship, to say as I think, there is not one of them that hath two servants or friends that is of the same mind, or that would take their parts in that behalf.”² Sadler, in his letters to the English Court, had to reiterate this result of his experience, as if he found that it was not rightly taken in. A few days later he says: “Though the Earl of Angus and the rest of that side be all well dedicate to the king’s majesty, as they pretend, yet, considering the motive of this nation towards England, which they would in no wise should have any superiority or dominion over them, I see not that the said earls or others of that side can be sure almost of their own servants in that quarrel. So that I think it must be that fear of the king’s majesty’s force which must make them yield to that which they would never do if they could find themselves able to resist it. This I have touched afore to your lordships, and now write it again, because whosoever had continued here in my place so long as I have been here, though he had but half an eye, could easily see it.”³ This view was urged by the ambassador with the object of impressing on the English Government that any force sent to Scotland must be sufficient to hold its own; it could look for no assistance—it could look for nothing but unanimous and bitter animosity in Scotland.

When the “English lords” dispersed at the conclusion of the sittings of the Estates, Sadler was anxious to go with them, and visit about in their country-houses, that he might see how they gathered their vassals; but they ever evaded his desire, with a lack of hospitality not characteristic of Scotland. There were two very powerful reasons for keeping clear of him: the one was, that he might see—what, however, he already knew—that they had no fol-

¹ Sadler State Papers, i. 255.

² Ibid., 326

³ Ibid., 330, 331.

lowers; the other, that his presence among them would be dangerous to them. Incidents of a trifling nature show how isolated these men were, how dangerous their position had become, and how necessary it was carefully to avoid anything that the vigilant suspicion of the country could seize on.¹

These "English lords" were in a curious position, which brings forth in a practical shape some specialties of the times. Each of them had, as we have seen, left a pledge or hostage for his return, generally his eldest son; and we have also seen that they had the assurance to ask these pledges to be sent to them, as without them they would have difficulty in getting their people to rise. But King Henry, though he did not know his men entirely, knew them too well to be duped to that extent. When the time came for their "entry" or return to England, they pleaded for a prorogation of their absence, and it was conceded. But at the end of the prorogation there were still difficulties; and at last it became pretty clear that they would not return. One of them did, and repented of it. It was Maxwell, who was sent to the Tower. Hertford says, "When he perceived he should go to London, albeit we kept it from his knowledge that he should go to the Tower, he was in so great a perplexity

¹ The perilous adventures of a poor messenger sent by Wharton with despatches from the king and himself to the Lords Fleming and Maxwell, are a romance of the road at that time. A Scotsman who had accompanied him, when they knocked at the Lord Fleming's gate, and were asked who they came from, said, From Robert Maxwell— noticing to the messenger that, if he said they came on a message from Wharton, Fleming's own porter would have refused them admission to him. Maxwell, astonished at such a phenomenon as a messenger from England, said, "Jesus benedicite! how thou durst come hither? But I am glad that thou art come to my house; and since thou art here, the highest stone shall be the lowest ere thou shalt take any skaith."—State Papers (Henry VIII.), v. 368. Henry demanded the personal attendance of the Earls of Lennox and Glencairn; but Hertford reported that "the said earls would most gladly come to your highness, if they could pass through Scotland to the borders without danger of their enemies." Yet the old story is repeated of how promptly they will attend with a force when his majesty invades Scotland.—*Ibid.*, 381.

and heaviness that he could neither eat, drink, nor sleep; requiring that I, the said earl, would either use his service now in the wars, where he would serve with the red cross on his coat as an English soldier, in such sort as it would well appear he would serve himself a true Englishman, or else, if I did mistrust him, that I would imprison him here in this town."¹ There are two curious documents, called "confessions," by this Maxwell. One of these apparently not being satisfactory, means had been found, whether by threat or bribery, to bring out in the other admissions that must have convinced Henry how hopeless it was to look for material aid among Scotsmen for the subjugation of Scotland.

"The governor of Scotland asked me what he should do concerning the realm of Scotland; and I said unto him, 'If I were in the room of a governor, as ye be—the which is in the nonage of the young queen protector and defender—I would not yield the realm of Scotland to no prince christened for no forcible ways.'

"Also the queen and the governor and the Council of Scotland commanded me that I should not go forth of Scotland, but to remain there and do as they would do; and I said, 'I will go to the king's majesty and to keep my promise, for it standeth upon mine honour;' and also said, 'If I do go, ye miss but one man;' and more I said, 'Are not you governor? Do I not leave behind me all my servants, all my tenants, my lands, and my goods? What need ye fear whether I go or tarry?'"² So when he made his "entry," his son, who had been his hostage, went down and levied his vassals for the defence of the country, like a good Scotsman. The others seem to have generally yielded to the pressure laid on them to stay where they were.

Their statement was briefly, "that the governor of Scotland hath charged them on pain of treason not to enter without his licence, which they say they cannot obtain."³

¹ State Papers (Henry VIII.), v. 479.

² Ibid., 429, 430.

³ Ibid., 455.

Henry spoke as one indignant at their callousness, in leaving the hostages to their fate; but they knew, as he seems to have found when he thought better of it, that cruelty to these would be a very dark stain on the character of a monarch. In war, a hostage was often a person who is to be put to death if his principal fail of some promise, such as the rendering of a fortress on a certain day, if not succoured. But the penalty risked by these was not of so extreme a kind. Their principals were prisoners of war, entitled to liberation on ransom. The amount of ransom to be demanded for each had been adjusted, and posted up as a debt for which he stood in pawn. He was thus a civil debtor, and the hostage took his place for the time as pledge for the debt, nothing more; and for the payment of those sums funds seem to have been provided out of some available ecclesiastical property. It was not very safe to trust to the precise strength of such restraints as sufficient to hold back King Henry in his fits of rage. But if he had been ready to do violence on those who had deceived him so largely, it would have aggravated the outrage to perpetrate it on their unoffending hostages. That was, doubtless, the consideration that made the principals think it wise, on the whole, to yield to the pressure detaining them in Scotland.

But there were other considerations. There were many English prisoners at the disposal of Scotland—some on parole at home, others detained in Scotland. Sadler suggested a shrewd scheme for getting over as many of these as possible on parole, or engagement to re-enter. When a large body of these was collected, then, as Scotland had set such a precedent, proclamation was to be made that none of them should venture to return to their captivity without the royal licence. Farther, by some skilful shuffling, "as well in the delivery in exchange of such Scots prisoners as were taken at Solway Moss—except the noblemen—as also of such pledges being but children and not esteemed, as lie for borderers for keeping assurances," it appeared to Sadler that there was a probability of doing a piece of trade profitable on the whole, insomuch that "we should shortly discharge and set free all the English gentle-

men of reputation, and make the bargains in such sort as shall be more to our advantage than the Scots."¹

So much for the prisoners taken at Solway Moss, who were released on parole on the condition that they were to do brilliant service to King Henry in Scotland. But he had to realise first the risk and then the certainty of another defection still more irritating. On the prisoners he had no claims beyond those arising from a mere bargain, which they could not be expected to keep under heavy discouragements. They had got harsh usage from him at the beginning, and their connection was not of a kind to foster loyal and grateful feelings. But Angus and his brother had come to him as impoverished fugitives. He had not only protected them from their vindictive master, but entertained them with a liberal hospitality suited to the high estate from which they had fallen. The king had, perhaps, his own objects in this; but it did not become one who had for fifteen years partaken of the princely bounty to reason himself into the existence of such objects, and count that they cleared all scores between him and his benefactor. But these Douglasses, far from raising an army to carry their master's projects, were sullen and inaccessible to the English ambassador, and on terms suspiciously cordial with the leaders of the national party. After "the governor's revolt," and before there was any distinct resolution in Scotland to abjure the treaties, Henry sent Sir Anthony Brown, with specific instructions to confer with the chief managers for England in the north—the Duke of Suffolk, Parr the warden, and the Bishop of Durham. The chief problem on which they were to deliberate was the perfidy of the Scots and the proper punishment for their offences, "unless the said Scots shall, with all humility and without desire of any alteration of any point of the said treaties, make petition to his majesty, with the present offer also of such assurance as his majesty shall be contented to accept, so it may please his highness to pardon their remissness, and to accept their offer and suit;" and the alternative is, "that his majesty

¹ State Papers (Henry VIII.), v. 456.

should so daunt them by force, as they may be compelled to know their ungentle and lewd proceeding with his majesty in this behalf."¹ To come to particulars, as they are likely to meet Sir George Douglas, they "shall frankly enter with the said Sir George to know certainly of him how that first his brother, the Earl of Angus, with their friends, will now do for his majesty; expressing plainly unto him how that first his brother, the Earl of Angus, a little before his going into Scotland, said he durst undertake to set the crown of Scotland upon his majesty's head before midsummer then following; how that he, the said Sir George after, and also divers others, have continually sued to his majesty to bear and tolerate, alleging that with sufferance all things would succeed better and better to his majesty's purpose. whereas indeed nothing hath yet succeeded, but contrariwis ever more from worse to worse, whereby his majesty hath not only spent much money but also lost much advantage otherwise." Sir George is to be reminded of the bond by himself and others; and a proclamation, drawn up in England, is sent that it may be issued by him. The terms of the proclamation we have not, but it is easy to believe that few events were more improbable than that Douglas should make it public, or be remiss in his care for its concealment and suppression. If Sir Anthony, however, finds him "slack and full of casting perils," he is to be told "his majesty will no longer feed them with money as he hath done, unless he see more fruit thereof than he hath done hitherto." Steps are to be taken to ascertain the amount of reality at the foundation of the brilliant promises of assistance by the Douglasses; and so, when Suffolk and the others meet Sir George, they "shall demand of him what friends they have that they think will surely adhere and stick unto them, and shall cause him to give the names of as many as they be perfectly sure of in writing. And if he shall seem to doubt of any of those that he shall call his friends, then be plainly told him that it shall not be expedient to put any one man in as his friend that he is not most sure of; and so they

¹ State Papers (Henry VIII.). v. 337.

shall cause him to make his book of no more than may be accounted sure for their party, and if they use themselves otherwise, then to be taken as no friends." After a scrutiny on this principle, the force which Angus could bring into the field in aid of England might at once for all purposes be returned blank. The document next gives instruction for the secret levy of eight thousand horsemen and two thousand light footmen, to be in readiness for service in Scotland.¹

¹ State Papers (Henry VIII.), v. 339

CHAPTER XXXV

REGENCY OF ARRAN.

(Continued.)

LENNOX, A PARTISAN OF THE ENGLISH INTEREST—GETS POSSESSION OF THE MONEY SENT BY FRANCE—ENGLISH ATTACKS ON THE BORDER—RE-DISCUSSION OF THE TREATY WITH ENGLAND AND FRENCH ALLIANCE—FORMIDABLE STATE OF POPULAR FEELING AGAINST ENGLAND—SADLER PERPLEXED—HENRY TAKES MEASURES TOWARDS HIS "ASSURED LORDS"—FINDS THEM IMPRACTICABLE—PREPARATIONS FOR PUNISHING THEM AND THE COUNTRY—UNABLE TO SEND A FORCE SUFFICIENT FOR CONQUEST, SENDS ONE FOR MISCHIEF—THE INSTRUCTIONS TO HERTFORD—HOW HE FULFILLED THEM—BURNING OF EDINBURGH—DESTRUCTION IN FIFE—BATTLE OF ANCRUM—HENRY'S ATTEMPTS TO SECURE THE ALLEGIANCE OF THE BORDERERS—A CONFERENCE WITH A BORDER CHIEF, AND ITS RESULT—ANOTHER WASTING EXPEDITION ON THE SCOTS BORDER—SIEGE OF KELSO—DEVASTATION—DESTRUCTION BY THE ENGLISH OF RELIGIOUS ESTABLISHMENTS WRONGLY ATTRIBUTED TO THE SCOTS REFORMERS.

WHILE the compact body of men with whom Henry seemed to have made so close and distinct a bargain thus dissolved into nothing, he obtained an unexpected adherent. Of all who were expected, from position and interest, to be thorough champions of the French party, Lennox, who belonged to the great French house of D'Aubigné, was first; but he turned suddenly round, and became Henry's only effectual supporter in Scotland. It is not difficult to account for this. What seemed to fix him to the French alliance, in reality made him open to any personal influence. He could not be called a Scotsman, for the fortunes of his house were laid in France;

and he had been reared abroad, serving in the Continental wars. He was then seeking in marriage the daughter of Angus by Queen Margaret. This brought him to seek favour of Angus himself, but more of Henry VIII., the young lady's uncle. The suddenness and unexpected character of his change of allegiance enabled him to do a clever little bit of effective service to his new master. He was governor of Dumbarton Castle at the time when the *Sieur de la Brosse* appeared on the west coast, bringing a small fleet from France and a money aid of ten thousand crowns. The money was conveyed into Dumbarton Castle for safety, and there Lennox gravely received it and closed his gates to further communication with the French.¹ Whether or not he ever accounted for the cash so received in any other quarter, it was lost to the friends of France, for whom it was intended, and consequently to the Scots Government and people.

On the 24th of September 1543, the ambassador had to report to his master something conclusive, but by no means propitiously so, in the matter of the treaties. There had just been held a solemn conference, in which he was to hear the views of the Scots Government. There were present the Queen-dowager, the Governor Arran, Cardinal Beaton, and several nobles and dignified churchmen. The repudiation of a national act formally announced, on the ground that, although it has the outward aspect of a completed affair, it did not validly pass through the proper sanctions, is a perilous and ungracious process, provocative of suspicions concerning the good faith of those who have recourse to it.² But other objections

¹ *Diurnal of Occurrents*, 28. *Sadler State Papers*, i. 298, 314.

² The question of the parliamentary ratification of the treaties is not in a satisfactory condition. There is no parliamentary record of the ratification. The way in which such matters are casually mentioned by contemporary writers is generally loose, and their statements do not acquire precision or accuracy in the repetition of their tenor by ambitious historians. We have nothing on this matter but brief notices, as where Sadler says, "There was some question of the validity of the treaties, which they alleged to be passed privately, and not by public authority."—*Sadler State Papers*, i. 304.

were found. Beaton was selected as the spokesman to announce them to the English ambassador, who, according to his own showing, held his part with skill and courage under the double discouragement of singly facing a hostile assemblage, and inwardly regretting the policy he had to vindicate.

It was maintained that King Henry himself had not given the treaties his solemn ratification by his oath and signature, and the great seal. This was admitted, and it was said that the Scots on their part had not sent up the stipulated hostages—an illogical defence, for the sending of the hostages, being the fulfilment of the treaties, naturally followed their adoption by the proper ratification. There was more in this, however, than could be well told on so public and solemn an occasion ; for it was believed in Scotland that, at the very time of the adjustment of the treaty by the commissioners of both nations, Henry had taken renewed obligations from the "English lords." It was believed, as a corollary from this, that he purposely deferred the ratification of the treaties until he should see whether these secret friends of his could strengthen his hands for the demand of better terms.

Another point was, that if the English Government counted the treaties a completed business, they had grossly broken faith by invasions of the Scots border. The troubles on the borders had for some time been resolving themselves into a new shape, in which the Government of Scotland was at the worst only passive. If it could not restrain its people from following the hereditary practices of their race, they got no backing or encouragement. On the other hand, the English borderers were hounded on by the Government, and were supplied with Government money and aided by Government levies. Hence the pressure from the English side was so overwhelming, that the virtual frontier of the territory under English rule was creeping northward and absorbing Scots territory.

These two were not, however, the strong points in the discussion. The great stand was made on the seizure of the Scots vessels, a fact more palpable and indisputable

than anything that could be got out of the confusions of border warfare. The seizure was not denied. It was vindicated, indeed, on a principle that drove the aggression deeper into the heart of the national pride. The freight of the vessels was fish. This fish was to be sold in France. King Henry was at war with France, and the Scots vessels were seized because their cargoes were destined for the supply of his majesty's enemies. The policy of this was that, whenever England was at war with France, the trade between Scotland and her old ally was closed. But the intention of the Estates had been to preserve the ancient league. They had agreed, with much hesitation, to modify the old rather offensive stipulation which required Scotland to attack England whenever England and France were at war. But still France was specially reserved as the ally of Scotland. If the treaties admitted of the interpretation practically put upon them, then the Scots commissioners had exceeded their powers. But, in reality, King Henry had broken the treaties. Any way, Scotland was not bound by them. The attempt to recriminate was repeated. Again it was urged that at the foundation of the treaties lay the sending of hostages by Scotland, and these hostages were not sent; but, then, was it reasonable to ask Scotland to send hostages to England before England had put the proper formalities to her side of the treaties?

Beaton at last put the affair in a shape which gave the moderation and the reason all to the Scots side. He made a proposition—and if he knew beforehand that it would be rejected, it does credit to his skill as a diplomatist. All cross accusations and recriminations being cleared off, the proposition, in Sadler's words, was, "Whether, in case they should wholly confine themselves to the laying of the hostages and accomplishment of the treaties, I were able to promise, on your majesty's behalf, that your majesty would accept the same, and not only restore the said ships and goods, but also cause all attemptates done on the borders since the time of the abstinence taken to be redressed; as for their part, they would do the semblable." To find the right answer to this must have taxed the skill

of one who had to give an account to a master like Henry. And it is not uncharitable to suppose that, in rendering that account, Sadler may have added some little warmth of colouring to the terms in which he actually spoke of that master's virtues before a Scots assembly. "I was not able," he said, "to assure them, on your majesty's behalf, that your highness would restore the said ships and goods, or cause the said redress of all attemptates on the borders to be made, or yet accept their offer, if they would now conform themselves to the accomplishment of the treaties; but knowing your majesty to be specially affected to the weal of this realm, and to the rest and tranquillity of both the realms, I supposed that, if your majesty might perceive them to proceed faithfully and honourably to the effectual execution of the said treaties, according to the purport of the same, your princely clemency was such as I thought your highness would not only accept the same, but also use towards them all such favour and gratuity from time to time as the amity required; and semblably, I thought, would restore the ships, and cause redress the attemptates done on the borders, they doing the like. This I told them was my supposal, though I were not able, nor would take upon me, to promise the same."

Thus he advised them to commit themselves, and trust to the generosity and princely clemency of Henry VIII. He was asked if he would write and ask what was "his majesty's gracious pleasure" in the matter, and he said he would. He then called on them to declare their "utter minds," or commit themselves before Henry was committed; but that was not their intention; the matters were weighty, and they must needs have time, so in the end the treaties dropped from both sides.¹ The part which Sadler had to take was not to his satisfaction. He pressed on his master the restoration of the ships, but in vain. The affair was brought very closely under his notice, for it appears that the owners of the vessels were chiefly citizens of Edinburgh. "I am secretly informed," he says, "that the inhabitants of this town will not suffer me to de-

¹ Sadler State Papers, i. 300-302.

part till they have their ships ; and nightly there is a watch about mine house here, which I am made believe is for my surety ; but it is told me secretly that it is purposely appointed to watch me that I should not steal away in the night.”¹ There seems to have been some private offer made for “the contenting and quieting” of the shipowners, but not in a way consistent with the honour of the nation. Sadler reports, on the 25th of October, that they had made no answer to the proposal ; “but, as I am informed, they be greatly offended with that condition, and say they will not only lose their ships and goods without making any further suit for the same, but rather they will lose their lives rather than grant that condition and become traitors to their own country.”²

The formidable character now taken by popular feeling in Edinburgh required that Sadler should look to his safety. He bitterly upbraided the people, so dead to all the proper rules of diplomatic hospitality as to treat an ambassador with discourtesy and menace ; but perhaps those who look at the whole story may be inclined to question whether one, sent on such work as Sadler had to do, could expatiate with clean hands on the sacredness of the ambassador. King Henry wrote a scolding letter to the citizens of Edinburgh about their conduct ; but such interference, by the object of all national detestation, was unlikely to amend it. Sadler looked out for a refuge among the professed allies of King Henry ; but he was by no means at that time a convenient guest, especially in any house where there might be suspicion of disaffection to Scotland. Angus at last allowed him a corner in his vast fortress of Tantallon. A more dreary retreat for the winter could not well be conceived. Spread over a great wave-beaten rock, it needed all appliances of hospitality, social intercourse, and internal comfort to modify the natural gloom and dreariness ; but, in the long absence of its lord, it had become ruinous, and was under repair. The furniture was of the scantiest, and there appears to have been no company in it—nothing but the garrison

¹ Sadler State Papers, i. 308.

² Ibid., 324.

necessary for defence ; but he had to reconcile himself to all this, by reflecting that it was of such strength as to put him out of all danger from the malice of his enemies.¹ Yet he found that all the ways were beset for the interruption of his correspondence, and he noticed that "Oliver Sinclair lieth at a little house within two miles here of Tanttallon, with three score horsemen, as I am informed, to lie in wait to catch up me or some of my servants, if we stray too far out of the bounds of this castle." Sinclair, it appears, had devised a shrewd commercial speculation. He was one of the English prisoners on parole, who could only obtain absolute freedom by paying a ransom which he was not able to afford ; but if he could catch the ambassador, he thought he might thus have an equivalent to offer for his own person.²

From the short uneasy "cessation," the countries were drifting back into actual war.. On the 17th of November the governor sent a warrant to Angus, requiring him to send Sadler away, who soon after had an order of recall. We thus lose a contemporary chronicle of the history of the time, which, though it lasted but a few months, is an invaluable boon to the historian of the period, as being enriched with the glimpses of the interior of the Scots world of politics—glimpses opened up by an acute, experienced, and inquisitive observer. At his departure he spoke of the people as a man of ordinary passions who had lost his temper, rather than with the polite restraint of an ambassador ; but his wrath was for a private eye, and must be read as words passing between friends.³

¹ Sadler State Papers, i. 332.

² Ibid., 333.

³ "And whereas your lordship desireth to hear how I am entreated, I assure you there was never so noble a prince's servant as I am so evil entreated as I am amongst these unreasonable people ; nor, I think, never man had to do with so rude, so inconstant, and beastly a nation as this is ; for they neither esteem the honour of their country nor their own honesty, nor yet—what they ought principally to do—their duty to God, and love and charity to their Christian brethren. Wherefore your lordship may easily conjecture what a pleasant being I have here. And if it may please you to open my letters, which I send in this packet to my said Lords of Suffolk and Durham, ye shall perceive the better how I have been now handled of late. And thus, my

At a meeting of the Estates held early in December, the treaties were repudiated, as having been broken by King Henry, in the capture of the ships and other acts of hostility. At the same meeting there were present, as ambassadors from France, the Sieur Jaques de la Brosse and Jaques Mesnage, with whom the Estates ratified and renewed "the auld ancient leagues, contracts, and considerations of amity and kindness passed at all times before betwixt the kings of Scotland and of France," receiving from the ambassadors promise of "aid and supply to our sovereign lady the queen's grace and nobles of this realm, for the defence of the same, and liberty thereof, against the King of England."¹

Events showed that the men whom Henry had wrought so hard to bend to his purpose were more true to their national allegiance than to the faith they had so lavishly pledged with him. There may be difference of opinion as to whether this is the heavier or the lighter alternative of their guilt, but we may surely calculate that they would find no absolute vindicators.

Early in the year 1544, in his instructions to the council on the borders, King Henry gives, among other reasons for immediate action, how he had been assured by Angus, Cassilis, and Glencairn, "in how great and imminent danger they and their friends do stand at this present, by reason of the force and power which the cardinal and the Earl of Arran and their adherents do prepare against them, to their utter ruin and destruction; beseeching us, therefore, at whose only hand they can hope of any assured defence and protection, with all convenient diligence to send into that realm, for their relief and preservation, a main army to confound their said enemies, and to establish them and the rest of their friends in quiet and tranquillity;

very good lord, the Lord of lords keep you in health, with increase of honour, and send me shortly to have the fruition of your most gentle company, out and from the malice and danger of this rude and beastly nation, that hath no manner of respect, no consideration to honour nor honesty."—Sadler to Parr, State Papers (Henry VIII.), v. 335, 336.

¹ Act. Parl., ii. 432

offering to join themselves and all their forces with the said army, and all and every of them to serve us faithfully and truly."¹ This appeal must have been made much about the same time—perhaps on the same day, the 13th of January—in which, "at the Roode Chapel of Greenside, beside Edinburgh," a document was signed which must have been enlightenment to King Henry, if it fell into his hands. It is a contract between the Earls of Angus, Lennox, Cassilis, and Glencairn on the one side, and Arran the governor on the other. It provides that these earls and their friends and retainers, "shall, in all time coming, remain true, faithful, and obedient subjects to our sovereign lady and her authority foresaid; and shall assist and concur with my lord governor and the authority for the defence of the realm against our auld enemies of England, and in actions concerning the common weal, and for liberty of holy kirk and defence of the Christian faith. For the whilk my lord governor, and all the lords and noblemen foresaids, shall accept and receive the said earls, their complices, and part-takers, in hearty love, favour, and kindness, according to their degree and estates." This document is one of the many examples of the propensity in Scotland to put all arrangements, good or bad, legal or illegal, peaceful or warlike, into form of style according to the science of the conveyancers. There is a preamble to recommend the arrangement, as a good undertaking, to the sympathy of all whom it may concern. Its object is "for stanching of apparent danger of battle instantly, and for perfect obedience through all the realm; to induce rest and quietness among all our sovereign lady's lieges, and furthsetting of her authority; and to take away all occasion of division, sedition, insurrection, and rebellion in the realm in time to come; and to have ane perfect unity for the faithful, true, and manly resistance of our auld enemies of England." In what manner the high contracting parties should give each other security for the performance of their obligations was a matter referred to arbitrators, who gave a "decree arbitral,"

¹ State Papers (Henry VIII.), v. 362.

appointing the entering of certain "pledges" or hostages, and otherwise providing, as well as arbitration and the recording of it could, for the fulfilment of the contract.¹

Shortly before the adjustment of this alliance, an English herald had appeared in Edinburgh, and made declaration of war. In his cartel he recalled to memory the magnanimous nature of King Henry, his compassionate interest in the sufferings of Scotland from divided councils, his benignant efforts for the welfare of the land, the treacherous ingratitude returned for all his goodness, and the final exhaustion of his long-enduring patience: such attributes, with appropriate variations, had become matter of form and style in this king's dealing with Scotland.²

Early in March, King Henry issued ample and very distinct instructions to the council on the border for the enforcement of his policy towards Scotland. When we realise the distinct view these afford us of the king's expectations, and his idea of his position in Scotland, and compare them with the purport of the alliance contracted at the Roode Chapel of Greenside some six weeks earlier, the effect might be thorough farce, if the end were not so deeply laid in tragedy. The king at last is to grant the earnest prayer of his friends in Scotland, and send "a main army" to co-operate with them. Having found them, however, rather more profuse in promises than in action, definitive arrangements are to be made. The council are to take post at Carlisle, and there await the coming of the principal persons among the "assured Scots," or of ambassadors duly accredited by them. A conference is to be held, at which the council shall deal with the "Scots earls," as they are called, "reputing them for men of truth and honour," and shall state plainly what his majesty demands of them, and what he will be pleased to give in return. The earls are to find hostages; and on this point careful instructions are given, in order that there may be no room for subterfuge or elusion. The obligations on both sides are then set forth in such terms that the reader would certainly be a loser by any attempt to paraphrase or

¹ State Papers (Henry VIII.), v. 355-358.

² *Ibid.*, 350

abridge them. The first will have a rather odd effect, looking to the political conditions by which it is surrounded :—

"And touching the things that we require to be observed on their behalf towards us, the first is, that the said earls shall, to their powers, cause the Word of God to be truly taught and preached among them, and in their countries, as the mere and only foundation from whence proceedeth all truth and honour, and whereby they shall judge who proceedeth with them godly and justly, and who abuseth them for their own private glory and purpose.

"The second is, the said earls shall be and remain for ever perfect friends and servants to us, our realm of England, and all other our dominions ; and shall never enter into, consent, or agree to any contract or league to be made with any private state, potentate, or other person, private or public, of their own countrymen or others, to the contrary thereof ; and shall also from henceforth refuse, abandon, and renounce, as well the leagues made in common between France and Scotland, as all such other private contracts, covenants, or promises as the said earls or any of them heretofore have made either with the French king or with any other person or persons that may in any way be prejudicial unto us, our realms and dominions, or to any part of the treaties made at this time with us ; and that they shall also serve us, for like wages as other our subjects do, both against France and all other nations and persons whatsoever they be, without exception, whensoever we shall so command them.

"The third is, the said earls shall diligently foresee and take heed that our grandniece be not conveyed nor stolen away, and also do what they can, to the uttermost of their powers, to get her person into their keeping, and thereupon to deliver her forthwith into our hands, to be nourished at our order till the marriage which we determine between our son and her may take effect.

"The fourth is, that the said earls shall aid, help, and assist us with all their power, force, and all other means they can, as well for the winning and getting into our

possession of Jedwourth, Kelso, Roxborough, Hume Castle, the Hermitage, the Marshe, and Teviotdale, as also for the sure and quiet keeping of the same to our use ; and from time to time, with all their said powers, damage, annoy, and use as their enemies, all such persons, whatsoever they be, without exception, as shall at any time, with force and power, or by any other means, be against us for the winning and quiet keeping of the said places, or go about by any means to invade us.

“Fifthly, The said earls shall, with all their force and power, join and concur with us, and do the uttermost they can, to help us to be director and protector of that realm, and so shall use us, accept us, and name us director and protector of the said realm, and in all things obey us accordingly.

“To the which foresaid articles if the said earls shall agree, and for the performance of the same put in such hostages as be before expressed, then in that case, and upon that condition, and none otherwise, we are contented, for the declaration of our benevolence towards the said earls, to do for them as hereafter followeth, that is to say,—

“First, We will send in a main army to annoy and defeat, by all the means they can, our common enemies, and will give unto our said army special charge and commandment, that they shall in no wise devastate anything that belongeth to the said earls, nor of any others of whom they shall have assurance to be our assured friends, but shall take the said earls and their foresaid friends as our friends, and aid and help the same as occasion shall serve.

“Secondly, Whereas the Earl of Lennox maketh suite unto us for the office of governor underneath us, we are contented to help him to have the said office and rule underneath us, with certain such others to be of council with him in the said government, as we with his advice shall appoint, so as he do accept us for protector, and do in no wise call or consent to the calling of any parliament, nor do any act contrary to the common law and order of that realm, nor give or dispose anything that shall be

confiscated or otherwise grow to the crown, without our express consent.

"Thirdly, We shall be pleased that the said Earl of Lennox, being once established governor by us as afore-said, shall have a reasonable portion of the revenues of the crown for the better maintenance of his estate in the same; foreseeing that there be a convenient portion reserved for the entertainment of the young queen, and of a council to lie continually at Edinburgh for the administration of justice, and that we also shall have in our custody some such hold as shall be thought necessary for us to have, being protector, for the stay of the country, and the keeping of the same in good order and rule during the minority.

"Fourthly, Whereas also the said Earl of Lennox hath desired our favour for the continuance of his title against the Earl of Arran; in case he shall be and do towards us as in our demands before is expressed, in case God shall dispose His will of our said grandniece, leaving behind her none issue, we will be content to aid him for the obtaining of his said title when time shall require.

"Fifthly, Albeit the Earl of Angus, being now by our means restored to his inheritance in Scotland, ought not to challenge nor demand any longer any pension of us; yet, to the intent as well the said Earls of Angus, Cassilis, and Glencairn shall earnestly, faithfully, and truly join with the said Earl of Lennox, and he and they all together extend all their power and force for the accomplishment of the foresaid points which we required them to do for us, we are contented not only to continue yet our former benevolence of our pension unto the said Earl of Angus, and to pay unto him now out of hand such sums as be already in arrears for the same, but also of our liberality to give forthwith unto every of the said Earls of Cassilis and Glencairn one thousand crowns apiece, upon condition nevertheless that the said Earls of Lennox, Angus, Cassilis, and Glencairn do first agree unto our foresaid demands, and also lay in the foresaid hostages for the performance of the same."¹

¹ State Papers (Henry VIII.), v. From a peculiarity in the

Before the conference could be held, King Henry became aware of "the untrue and disloyal behaviour of the Earl of Angus," and became "eftsoons advertised of the revolt and disloyal untruth, contrary to all men's expectations, of the Earl of Cassilis." The conditions had thus to be recast, by cancelling the rewards to be bestowed on these revolvers.¹ But, in fact, the character of the project against Scotland had to be totally remodelled. Henry knew, at last, that he had nothing to hope for in the shape of co-operation within Scotland. A merely auxiliary English army would therefore be useless. With his hands full in France, he could not afford to send an army for conquest. Accordingly the problem put to the king's advisers was, how to do the utmost amount of mischief with the limited means available. They set to work on this problem. To understand the full significance of their deliberations, let us remember that the aim of modern civilised warfare is to break an enemy's power with as little torture to the people as may be—to strike at some centre of power by the breaking of a great army, the seizure of a capital, or the destruction of a fortress, and to avoid devastation among the peaceful inhabitants of the country. What Henry's servants had to find, however, was how to make their money go farthest in extinguishing human life, and spreading misery in all available shapes of mischief. To this end the council gave instructions to Hertford, of which the substance is thus noted: "They tell Hertford, in Henry's name, that the grand attempt on Scotland was delayed for a season, and that he in the mean time was to make an inroad into that kingdom, 'there to put all to fire and sword, to burn Edinburgh town, and to raze and deface it, when you have sacked it and gotten what you can of it, as there may remain for ever a perpetual memory of the vengeance of God lighted upon it, for their falsehood and disloyalty. Do what you can,' continue they, 'out of hand, and without long tarry-

arrangement of the papers, King Henry's demands are printed p 386, 387, and his concessions in return p. 363-365

¹ State Papers (Henry VIII.), v. 385.

ing to beat down and overthrow the castle ; sack Holyrood House, and as many towns and villages about Edinburgh as ye conveniently can ; sack Leith, and burn and subvert it, and all the rest, putting man, woman, and child to fire and sword, without exception, when any resistance shall be made against you. And, this done, pass over to the Fife land, and extend like extremities and destructions in all towns and villages whereunto ye may reach conveniently ; not forgetting, amongst all the rest, so to spoil and turn upside down the cardinal's town of St Andrews, as the upper stone may be the nether, and not one stick stand by another, sparing no creature alive within the same, specially such as either in friendship or blood be allied to the cardinal. And if ye see any likelihood of winning the castle, give some stout assiege to the same, and, if ye fortune to get it, raze and destroy it piece-meal.'"¹

Kings have been visited with abundant criticism, laudatory and censorious, for pieces of written composition issued in their name, but none of their own doing. In this document, however, so unlike Privy Council work in its impetuosity, we may surely trace the special draughtsmanship of King Henry.

These instructions were issued on the 10th of April. On the 12th, Hertford, wishing to make it clear that he knew what was meant, answered that he was not to aspire at regular warfare ; he was to have as little fighting and besieging as might be ; that he was not to attempt to take a permanent position in the country. Having so notified his sense of what he is told to avoid doing, he sets down what he considers himself instructed to do. He says that he "shall rather put the said towns of Leith and Edinburgh, with such other towns as be thereabouts, to sack, fire, and sword, and raze the Castle of Edinburgh, if it may be done conveniently without long tarrying about it ; and likewise to pass over to Fife to make like spoil and wasting of the country there, chiefly at St Andrews, putting all to fire and sword, in such wise as in the said letters

¹ Notes and extracts in the Hamilton Papers, 93, 94.

is more at length contained. In which part, and all others, I shall most willingly and obediently conform myself to whatsoever shall be your majesty's pleasure, and shall spend my life and goods in the execution of the same with as good heart and will as any other of your highness's subjects or servants." He has just one amendment to suggest—that the plan of making an English fortress in Leith should not be abandoned; "for by the same, being their chief port-town, your majesty shall not only have a goodly entry into Scotland, and by that means take away from them their commodity of fishing and their whole traffic, which shall be such a continual scourge unto them, as of force the town of Edinburgh and the whole country thereabouts shall be constrained to fall into your majesty's devotion."¹

A force was accordingly conveyed by sea to the Firth of Forth, under the command of Hertford. Unless we may find some parallel in Tartar or African history to the career of this expedition, it will scarce be possible to point to any so thoroughly destitute of all features of heroism or chivalry. The force landed at Granton on the 1st of May, and marched to Leith. They found this a richer town than they expected, and drew from its pillage the exhilaration of a prosperous beginning. Shipping and houses were burnt, and everything destroyed that was not worth removing. Edinburgh came next. The citizens offered resistance; and it was thought that they might have held out, had they been effectually commanded. But they had no one to head them but their provost, Sir Adam Otterburn, who was under suspicion as an adherent of the "English lords." He went to Hertford's camp to treat for a rendering on terms of some compromise, but was told that nothing would be accepted unless the young queen were handed over to the English army. Breaking through the poor defences of the city, the army tried those of the castle; but finding that it could not be easily taken, they left it, in terms of the general policy of the expedition. They set Edinburgh on fire before their departure.

¹ State Papers (Henry VIII.), v. 371.

Built chiefly of wood, and concentrated on the well-known ridge rising to the castle, the beautiful town blazed for three days and nights, making a sight that, seen far along the Lothians and Fifeshire, left in the recollection of the people a characteristic impression of what it was to be at the mercy of the King of England.

At that time the coast of Fife was bordered by small comfortable towns, acquiring affluence by trade. They were generally exempt from the English border raids, but the fleet giving the opportunity, they were now invaded. After doing as much mischief among them as he could, Hertford marched southwards to the border, burning, slaying, and ruining as he went. He had to pass through the lands of the Douglasses; and before he had to decide how they were to be used, he seems to have made a last effort to bring Angus to a sense of duty to King Henry, so as to know definitively whether he was to lose all claim as a friend. Communications were accordingly opened with Angus's nephew, the Master of Morton, afterwards celebrated as the Regent Morton. Wharton reported that he was assured how "undoubtedly the Master of Morton, with all the friends he could make, would join with your majesty's army, and take full part with the same; and that now he was practising with his friends to make his party as strong as he could for that purpose." There was a suspicious condition that he required to have "assurance" granted that these friends of his should be at once treated as friends of England. What was still more suspicious, the Master, though he promised readily to come and meet Hertford, never did come. The most important person connected with the Douglasses whom Hertford could meet face to face was a certain Alexander Jardine, who commanded Tantallon Castle. Hertford desired him to render up his charge. Jardine said he could not do so without instructions. "And for example," says Hertford, "he axed me what I would think in my servant having any such charge of mine, if he should so use me in case semblable." The general's answer is curious as a specimen of assurance. He said such an act would be the maintaining of his master's honour, and

showing more regard for it than he himself showed ; but Jardine could not appreciate such reasoning.¹

The end was, that an example should be made of Angus. Had it been possible, his lands would have been marked by special features of devastation. But this was everywhere so complete, that the only way in which a peculiar mark of hostility could be left on the revolter's possessions was by breaking and insulting the tombs of his ancestors at Melrose.

This service was performed by a subsidiary expedition on the border, which had a destiny very different from Hertford's. A considerable portion of territory was now at the mercy of the English. Sir Ralph Evers and Sir Brian Latour, who had done great service in the way of destruction, were to receive a splendid reward out of these acquisitions—a grant of territory extending so far as to comprise the counties of Berwick and Roxburgh. The new owners were to hold their lands of the English crown in freehold. The whole district had not yet been subdued, and Evers and Latour entered it with a force of five thousand men. There was some jocularly about their going to take feudal sasine, Douglas, whose lands their gift encroached on, threatening to write out the instrument of sasine in blood. They had burnt Jedburgh, and done their work on Melrose, when they were recklessly attacked by a small force under Angus, which was easily driven off. Angus, with a remnant far too small for another battle, was sullenly following the skirts of the victors, when he received unexpected reinforcements. Some Leslies and Lindsays from the north had travelled so far to help the borderers to drive the English out. Farther assistance came from Buccleuch, the chief of the Scotts, and other border lords. The English seem to have been unconscious of this gathering till they were attacked near Ancrum, and driven to flight. Of the five thousand, two only were borderers ; the others were regular hired troops, who, not accustomed to border warfare, were easily chased down and killed. The two barons who had come to take

¹ State Papers (Henry VIII.), v. 379.

possession were among the killed. In the English army there were six hundred borderers who, by geographical position, belonged to the Scots side of the border. They had been pressed into the service of the English wardens. When the turn of the day left them free to choose, they threw away their red crosses and joined the Scots, making themselves conspicuous by their zeal in slaughtering and pillaging those along with whom they had just marched and fought. This incident was significant. The service of these men of dubious nationality, a service so emphatically broken, was all that Henry gained of active allegiance in Scotland.

This success gave an impulse to the spirit of resistance, and a considerable army was sent to the border. Part of it, however, was the following of the "English lords;" and though they did nothing for Henry, they were not the leaders most likely to act effectually against him. Whether it was that they thwarted the governor and the other leaders, or that it was felt dangerous to accompany into actual battle men so suspected as they were, this Scots army was numbered among those uselessly mustered against England.

If Angus and the "assured lords" were faithless, both King Henry and his servants in the north believed that England was making steady progress in securing the allegiance of the southern districts of Scotland. Lightly as the allegiance of the borderers to Scotland might be counted, the affair of Ancrum showed that it was not of much value to England; and we shall find other evidence, that even these men of easy political virtue were not to be counted on against Scotland. One of Henry's emissaries of the day has given a lively instance of the method in which they were dealt with and tempted. Wharton had a conference with the Laird of Buccleuch, who had succeeded the Armstrongs as the chief leader and potentate on the Scots side of the border warfare. They met with three score horse on either side. The English announced their great master's success in his war with the Scots ally—he had just taken Boulogne. Buccleuch on this "mused a little, but was not discomposed." The English then re-

minding him that he had sought the meeting, asked what business he had to propound? Thereon, we are told, "he, with a merry countenance, answered, that he would buy horse of them, and renew old acquaintance. They said they had no horses to sell to any Scotsman; and for old acquaintance, they thought he had some other matter, and advised him to show the same; who answered, Jesu! what ails you thus to run upon us?" In this strain of light good-humour he reminded them how near the two countries had come to a fast alliance, how Scotland had virtually consented to the union of the prince and princess, and all would have gone well, and the wars would not have begun, had the King of England dealt fairly. "And earnestly therewith said that, if my lord prince did marry their queen, he would as truly and dutifully serve the king's highness and my lord prince as any Scottishman did any king of Scotland; and that he would be glad to have the favour of England, with his honour; but that he would not be constrained thereto if all Teviotdale were burnt to the bottom of hell." The other party recommended him to give over this kind of talk, and announce his intention—was he, or was he not, to become King Henry's liegeman? He dropped some sarcasms on Angus and the "assured Scots," saying that, if he gave his word, he would keep it better than they did. Being again pressed for a decision, he took up his position as the leader of a powerful party who had met Wharton, not on the question of going over to the enemy, but of discussing what could be done to put an end to the cruel war. But he saw how it was—they would have him "sing the shameful carol," and, to avoid the utter destruction of his house, seek the favour of England. He explained to them how he stood as a leader. "If I serve the king's highness of England, there are many friends bound with me, and I with them, every one to take other's part—as the Lord Home, Mark Carr of Littledean, George Carr, and all the Carrs except David Carr of Fernyhurst." These, with several others, "were sworn and bound, with all their friends, to join together in one friendship, and all they would go one way." He then requested "assurance" for a month or twenty

days, that he might consult those banded with him ; and when they had come to a determination, he would go to the governor with the influence of that determination to strengthen his hands. What he pointed to was seemingly the renewal of the negotiations, on the standard of conceding some points to England.

Wharton and his party, however, could give no such assurance. They had come to secure Buccleuch and his powerful following as adherents of Henry VIII., and they were impatient. "They had no commission to grant him any assurance one hour longer than that assurance granted for that their meeting, nor to grant any his demands, whatsoever the same were." There was thus to be no more negotiation. The English, as if somewhat pitying the obstinacy of the Scots border leader, and the calamitous end that must come of it, tempted him, before they separated, with a piece of good-natured counsel, which has a picturesqueness in it not natural to diplomacy. "And they said unto him therewith, 'Sir, look about ye as you stand. West from you is yonder Eskdale, Ewsdale, and Wauchopdale, and of far side the ridge from you east, Liddesdale. These dales did sometime hold of Scotland ; and now they are all bound and sworn, with their hostages all lying at Carlisle, to serve the king's highness our master at all commandments of his majesty's officers ; and my lord warden of the west marches hath granted you for this meeting assurance for them. Ye know the dwellers of these debatable lands are all at commandment to serve his highness ; and better you were to come to serve his majesty, and thereby to live with your friends at rest, than to live as ye do, which in brief time will be to the no little damage and destruction of you and your friends. And, serving his majesty, ye may be sure there is none in authority in Scotland that will or dare annoy you in Teviotdale.'" ¹

There came nothing more of the conference than some farther discussion, held with as much temper as could be kept between two groups of the bitterest of enemies. The

¹ Hamilton Papers, 106-108.

question of Buccleuch and his party coming over to King Henry was, of course, left open ; but it was closed by the battle of Ancrum, which followed upon the conference.

This affair was exasperating to Henry and his servants. It was a defeat ; and the defection of the borderers went, with other incidents, to show him how apt the coadjutors he was so laboriously gaining in Scotland were to slip out of his hands. There is much confused dealing with the "assured lords," the Lord of the Isles, and other uncertain persons ; but the tendency of it all is to another expedition for the punishment of Scotland, to be led by Hertford, who had proved that he could be trusted with such work. Policy again dictated that it should be not for fighting or subjugation, but for sheer mischief and cruelty. The previous expedition had its centre of operations in the Forth, whence it had done much satisfactory work to the north and the south. The design now was to complete the ruin it had left unfinished, by an invasion from the border. It would cross lands which had before been subjected to countless raids, but these were merely local efforts. The present was to be a raid on a royal scale, to sweep the district, and complete the devastation which had only been partly accomplished.

Hertford, writing in August, tells of the dispersal of the abortive Scots army mentioned above, and the opportunity so opened ; and he notices that the most appropriate time for the doing of the business in hand, the wasting of the country, will be early in September ; "for that their corn this year being very forward in those parts, will then be ripe and shorn, by reason whereof we shall have the better opportunity to destroy the same, which will be no little annoyance unto them, and cause them to live in the more penury all the year after."¹

The composition of the army put at Hertford's disposal on this occasion, suggests a doubt whether the service in Scotland at that time was of a kind which the English yeomen of the feudal array could be trusted to carry out to its bitter end. It may be questioned if ever any other army,

¹ State Papers (Henry VIII.), v. 492.

of materials so divers and alien, has been embodied in Britain. There appears to have been in it Irish subjects of King Henry, Germans, French, Spaniards, Italians, even Greeks.¹

At one point in this motley expedition, Robert Bowes having to execute an order for what he himself calls burning and devastating the country, and desirous to do his duty in a perfect manner, drafted a hundred Irishmen into the expedition, "because the borderers will not most willingly burn their neighbours,"² a significant remark. The borderers on either side were relentless enough against each other, but they were not so effectively to be relied on for wanton mischief and cruelty as to serve King Henry. Destruction was not so much their object as some substantial recompense for their perils and exertions. They would not wantonly destroy the goods of the enemy on the other side of the Tweed, and exasperate him to no purpose. Moreover, the utter destruction of the enemy was also the destruction of their own marauding-ground, and was not an end to be desired.

While King Henry was effectively served, the opportunity might also be taken to serve God by a visitation on the monastic houses on the Scots side of the border. There was a peculiarity in these, vestiges of which may be seen at the present day. The remains of the abbeys of Kelso and Jedburgh, for instance, have much in common with the castles or fortified houses so numerous in Scotland. The architecture of the belfry-towers is rich and costly, but there is a substantiality in the structures intended for something else than the devotion of costly work to purposes of worship. These, in fact, in their day, were strong fortresses. Many a raid of the English borderers had they resisted, but now it was part of the plan that they should be besieged and demolished. There were other matters of smaller moment giving encourage-

¹ See "A Contemporary Account of the Earl of Hertford's Second Expedition to Scotland," &c., Proceedings of the Antiquarian Society of Scotland, i. 271.

² State Papers (Henry VIII.), v. 523.

ment to the expedition in the autumn of 1545. It happens that a despatch from Hertford himself gives us some particulars of the dealing with Kelso. "A body of the Spaniards," he says, unauthorised, "gave of their own courage an assault with their arquebuses to the abbey;" but the general saw this to be to no purpose—it was an attack with musketry on a stone building. He says, "I caused them to retire, and thought best to summon the house, which I did forthwith; and such as were within the same, being in number about a hundred persons, Scotsmen, whereof twelve of them were monks, persuaded with their own folly and wilfulness to keep it (which no man of any consideration of the danger they were in, the thing not being tenable, would have done), did refuse to render and deliver it." Cannon were brought up, and after some battering, a breach was opened. This apparently was in the conventual buildings. The assault was given to the Spaniards, but when they rushed in they found the place cleared. The nimble garrison had run to the strong square tower of the church, which may still be seen, and there again they held out. Night came before they could be dislodged from this their last citadel, so the besiegers had "to leave the assault till the morning, setting a good watch all night about the house, which was not so well kept but that a dozen of the Scots, in the darkness of the night, escaped out of the house by ropes, out at back windows and corners, with no little danger of their lives. When the day came, and the steeple eftsoons assaulted, it was immediately won, and as many Scots slain as were within." This was but a small affair in the history of warfare; but it is peculiar, as perhaps the most distinct account we have of the siege and defence of a monastic edifice.

There was, it seems, a project to build at Kelso a great fort, to overawe the surrounding district, and hold it firmly for England. The use of cannon was even then superseding the tall stone towers of the Norman system of defence, and fortification was stretching into the horizontal flanking works of mound and ditch, which culminated in the Vauban system. The commander reports that "we devised thereupon with the Italian fortifier that is here—Archam,

and the master-mason of Berwick; and when we had spent all the day thereabouts, we found the thing so difficult that, in our opinions, it seems impossible to be done within the time that we can tarry about it." The cause of the difficulty was the vastness of the remains of the magnificent abbey which they had wrecked. The besiegers find these "so great and superfluous buildings of stone," which, were they to make a fortress, must be pulled down and removed. The pulling down would not be so serious; but if the removal were not also effected, "the heaps of stone, besides the confusion of the matter, should remain an enemy to the fortress; and to make the fortress so large as should contain all those superfluous buildings, should be such a confused and long work as cannot be perfected in a great time."¹

Another special enterprise, growing out of this inroad, was an attempt to obtain and secure for England the Castle of Caerlaverock, on the Solway. This strength was memorable some three centuries and a half earlier, when it was taken by King Edward. We have seen the magnificent array of the knighthood of England brought to the siege of this old castle when it was in its youth. Beside this grand display of chivalry, the doings of Hertford have a tricky, sordid character, responding to their meaner object. The castle belonged to the Lord Maxwell, one of the "assured Scots," whose son was his partner in the subtle dealings he had to conduct with the English authorities. Maxwell had as yet been unfortunate

¹ State Papers (Henry VIII.), v. 514. There are other incidental difficulties, which might be interesting to the student of the engineering of the day. The spot is not, after all, so well suited for a central fortress as was supposed at the first inspection; "for on the other side of the water, even hard by, is a great hill called Maxwell Heughe, which may beat the house, and is an exceedingly great enemy to the same." Then it was found that the gravel and shingle of the haughs and terraces on the Tweed were bad substitutes for old meadow turf in making mounds and glacis. "The soil hereabouts is such, and so sandy and brittle earth, that we can find no turf anything near hand to build withal; and the ground about the house is such a hard gravel that, without a countermine of stone, it will not serve to make the ditches, which will take a long time."

in finding no opportunities for dutifully serving King Henry; but here he could do a thorough good piece of service by giving up Caerlaverock, and he was shown how the thing was to be done. It appears that a certain priest acted as governor of the castle; and the problem was to get him to give it up at the order of Lord Maxwell. Hertford drew on the resources of his craft in adjusting the matter; and, writing from Newcastle, tells, somewhat triumphantly, how he managed it.

"After some reasoning and communication thereof, wherein the said Lord Maxwell showeth himself very earnest, he hath taken upon him that, if he might have licence to go to Carlisle with the said Lord Wharton, that, in case the priest that keepeth the house for him will, at his sending, come to him at Carlisle—whereof he putteth no doubt—that then he will so handle the matter as he doubteth not but the house shall be delivered into the king's majesty's hands accordingly. Whereunto I, the said earl, answered him that I thought it better for him to send for his priest hither, where he might as well work and devise with him for this matter as at Carlisle; for if he should go to Carlisle, and nothing come thereof, it should but breed and engender towards him a mere suspicion, and give us cause to think that, showing himself so desirous to go to Carlisle, he should mean rather some practice to his own purpose than effectually to accomplish the thing which, in his words, he seemed so earnestly to desire. Nevertheless, he desired still to go to Carlisle, saying that he was content that we should indeed suspect him the more ever after, and use him accordingly, if the matter take not effect within six days after his coming to Carlisle, in case his said priest do come to him thither at his sending, as he doubteth not but he will come as aforesaid. Wherefore, perceiving his earnest demeanour in this behalf, and considering that he shall be in as much surety and sure custody in Carlisle as if he were in the midst of London, we thought it not amiss to prove him for six days."

Maxwell, as we have seen, was the only one of the "assured Scots" who could be lured back to London. In

thus determining that the interview should be at Carlisle rather than at Newcastle, he had doubtless an object in view, whether or not he was defeated in his attempts to attain it. A cunning device was arranged for luring the governor priest to Carlisle. What was to be done with him when he came is thus set forth by Wharton: "It is devised that, immediately upon the coming of the said priest to Carlisle, there shall be a convenient number appointed to go with him forthwith to Caerlaverock in the night-time to receive the house; and the priest shall never be out of their hands till the house be delivered, wherein, if he shall make any stay or difficulty, he shall be sure to die for it, which is also a piece of the Lord Maxwell's own device."

It would seem that all was effected as thus sketched. Wharton and his coadjutors, however, seem to have been extremely suspicious, looking on the whole affair of the governor priest as peculiar, and not rightly accounted for; so they report that "thus far furth is the matter, but what will be the end we know not."¹

We must presume that the scheme was carried out, and that the priest governor came to Carlisle, and went back to his charge with a party, aware that he was "sure to die" if there were any stay or difficulty in their becoming masters of the castle. The next letters show us the English party in possession. Maxwell, however, seems to have been still true to the policy of the "assured Scots." If it was in company with the priest that the English party got into Caerlaverock, they found nothing there but bare walls; while outside there was waste and water between them and their comrades, and a hostile people on the other side. The problem was, how to supply the place with cannon, provisions, and everything else necessary to a fortification, and to sufficiently augment the garrison. To these ends Wharton had the double idea of a convoy by land and by sea; but each was beset by difficulties. For the land approach, the nearest way was over Locker Moss, "through which moss is made a way with earth,

¹ State Papers (Henry VIII.), v. 545-547.

whereupon there may pass four men in rank, and not above." There is the consideration, however, that the country-people could easily cut this causeway through the moss, and compel the English troops to make a wide and dangerous circuit near by to the town of Dumfries. The co-operation from the water was to be by crossing the Solway. The marine division of the expedition was to be accomplished in six boats, which would in all convey over three hundred men—fifty to each boat. But there is a difficulty, since the boats "cannot come near the land at Caerlaverock by more than a mile, except at a high spring and a full sea;" and the owners of the boats have doubts of going to sea at such a season—it was the beginning of November.

Nothing was made of the affair—for England, at least. That Caerlaverock Castle was ever, in the sixteenth century, in the hands of England, does not appear in history, and is only known from the documents here cited. We naturally inquire how far the story they tell corresponds with the current memorials of the times. But these seem to furnish nothing more than the brief notice of a contemporary, who took down things, small and great, as they happened from day to day.¹ It is evident that the acquisition was profitless.

Of the achievements of the expedition in other shapes, Hertford thus exultingly reports directly to his master, Henry: "Marching with the army towards Wark, we burned and devastated the country on our way three and four miles on each hand, cast down sundry piles and stone houses, and burned and destroyed such a deal of corn, as well in towns and lying in the fields, as also hid in woods and caves, that the Scots say themselves, and also the borderers here say, that they were never so burned, scourged, and punished on no journey, and that they received not half so much loss and detriment by the last

¹ 1545. "Upon the xxiv day of October, the Lord Maxwell deliverit Caerlaverock to the Englishmen, whilk was great discomfort to the country."—*Diurnal of Occurrents*, 41.

journey that was made to Edinburgh as was done by this. Surely the country is very fair, and so good a corn country, and such plenty of the same, as we have not seen the more plenteous in England; and undoubtedly there is burned a wonderful deal of corn, for, by reason that the year hath been so forward, they have done much of their harvest, and made up their corn in stacks about their houses, or had it lying in shocks in the fields, and none at all left unshorn, the burning whereof can be no little impoverishment unto them, besides the burning and spoil of their houses—as when the journey is ended, we shall make unto your majesty a full declaration of the whole that hath or shall be done in the same.”¹

The expedition had done little towards securing new subjects to the English king, or giving him a fortified position in Scotland. It was successful otherwise, however. It had inflicted a world of misery on the people of the country. It had done an amount of destruction to which there was no parallel even in the remorseless ravages of border warfare. The “full declaration” made to his majesty of all that had been done showed a very satisfactory sum total. It somewhat confuses what was taken with what was destroyed. Thus we hear of 200 bolls of corn—which might be all that the plunderers obtained, but certainly not all that the plundered lost; while there are 12,492 sheep, and 1292 nags and geldings, a goodly proportion of which probably remained in the hands of the assailants. In the heavier part of the summation we have “towns, towers, stedes, barnekens, parish churches, bastel-houses—192.” All these, of course, go to the account of destruction. To this another way of rendering the account adds a significant item—“in villages, 243.” Whatever amount of misery we may crowd into the realisation of 243 villages wrecked, there comes another item in the account more important in its historical influence. It stands, “in monasteries and friar-houses, 7.” Of these seven we have seen the particulars of the dealing with

¹ State Papers (Henry VIII.), v. 523.

one—the Abbey of Kelso. Among the others were Melrose, Dryburgh, Roxburgh, and Coldingham.¹ It is a matter of justice to remember how and by whom these buildings were destroyed, because their ruin has generally been debited, or credited, to the Reformers of John Knox's school.

¹ Haynes's State Papers, 43 *et seq.* "A Contemporary Account of the Earl of Hertford's Second Expedition to Scotland, and of the Ravages committed by the English Forces in September 1545," from an MS. in Trinity College, Dublin. By David Laing, Esq.—Proceedings of the Antiquarian Society of Scotland, i. 271.

CHAPTER XXXVI

REGENCY OF ARRAN.

(Continued.)

ECCLESIASTICAL AFFAIRS—INFLUENCE OF THE ENGLISH INQUIRY INTO THE MONASTIC ESTABLISHMENTS—ACCOUNT OF GEORGE WISHART—HE AND KNOX IN SCOTLAND—SEIZURE OF WISHART—TRIAL AND CONDEMNATION—BURNING—THE PLOTS AGAINST THE CARDINAL'S LIFE—WHO CONCERNED IN THE PLOTS?—SEIZURE OF THE CASTLE OF ST ANDREWS—DEATH OF THE CARDINAL—HOLDING OF THE CASTLE—THE SIEGE—THE FRENCH AUXILIARIES—THE CAPTURE—DISPOSAL OF THE PRISONERS—KNOX AND HIS COMPANIONS IN THE GALLEYS—DEATH OF HENRY VIII.—THE PROTECTOR MARCHES AN ARMY TO SCOTLAND—BATTLE OF PINKIE—ITS EFFECT—A SUCCESS ON THE BORDER—PERILOUS POSITION OF THE COUNTRY—ARRANGEMENTS WITH FRANCE—REMOVAL OF THE QUEEN—FRENCH AUXILIARIES—THE RECOVERY OF THE STRONG PLACES—PEACE—MARY OF LORRAINE BECOMES REGENT.

It may now be well to turn aside for a time from this weary conflict with England, and look to events connected with religion and the Church, which, as well as the incidents of the contest, have their own burden of tragedy and calamity. Between the years 1543 and 1545, there was a stirring up of Protestant feeling in Scotland, which seemed to come to an abrupt end in the conclusion of the short history to be presently told. In it two remarkable men—Knox and Wishart—make their appearance, and in general history one can find nothing more than the eventful incidents in which they figured; it is only in casual notices by contemporaries that we find traces of any movement among the people. Some destructive attacks appear

to have been made on the monastic houses by the populace, excited, perhaps, by the horrors proclaimed by the English commission of inquiry. Sir Ralph Sadler reported these tumults to his master, probably putting emphasis on them as a piece of pleasing news. It is unfortunate that we have not his own announcement of them, but only a memorandum of its substance in these terms: "Sir Ralph shows that the work began at Dundee, by destroying the houses both of the Black and Grey Friars; that afterwards the Abbey of Lindores was sacked by a company of good Christians, as they were called, who turned the monks out of doors; and that an attempt of the same kind was made upon the Black Friars at Edinburgh by the captains of a foot band and their retinue in the pay of the governor, while he himself was absent, but that the inhabitants of the city, both men and women, assembled in defence of the friars, and drove these forces out of town."¹

A diarist of passing events confirms the tenor of this by the brief notandum applicable to the same year, 1543: "In this time there was ane great heresy in Dundee; there they destroyed the kirks, and would have destroyed Aberbrothoc Kirk were [it] not [for] the Lord Ogilvie."² It connects itself with these vestiges of popular tumult, that the governor caused it to be shown and propounded in plain parliament, "how there is great murmur that heretics mair and mair rises and spreads within this realm, sawand damnable opinions in contrair the faith and laws of haly kirk, acts, and constitutions of this realm. Exhortand, therefore, all prelates and ordinaries, ilkane within their awn diocese and jurisdiction, to inquire upon all sic maner of persons, and proceed against them according to the laws of haly kirk; and my said lord governor sall be ready at all times to do therein that accords him of his office."³

These were symptoms, however, so faint as to find no

¹ Hamilton Papers, 82. The passages from these papers, as well as the abridgments—such as the passage in the text is—were taken down by George Chalmers.

² Diurnal of Occurrents, 29.

³ Act. Parl., ii. 443.

place in history, though some tragic personal events having connection with the causes of this popular restlessness became known over the world.

About the same time George Wishart, a native of Scotland, afterwards known as Wishart the Martyr, returned, after foreign sojourn, to his native country. He was a visionary enthusiast, given to forebodings and prophecies. We have an account of his character by a close observer and affectionate pupil, all the more valuable that it expresses the mere private and personal estimate of one neither eminent at the time, nor likely to become eminent. It represents a man with many fancies and peculiarities, but all of them having characteristics of devoutness, benevolence, and negation of self.¹ He was a man of gentle

¹ "About the yeare of our Lord a thousand, five hundreth, fortie and three, there was, in the universitie of Cambridge, one Maister George Wischart, commonly called Maister George of Bennet's Colledge, who was a man of tall stature, polde headed, and on the same a round French cap of the best. Judged of melancholye complexion by his phisiognomie, black haired, long bearded, comely of personage, well spoken after his country of Scotland, courteous, lowly, lovely, glad to teach, desirous to learne, and was well travelled, having on him for his habit or clothing, never but a mantell frise gowne to the shoes, a blacke Millian fustian dublet, and plaine blacke hosen, coarse new canvasse for his shirtes, and white falling bandes and cuffes at the hands. All the which apparell he gave to the poore, some weekly, some monethly, some quarterly, as hee liked, saving his Frenche cappe, which hee kept the whole yeere of my beeing with him. Hee was a man modest, temperate, fearing God, hating covetousnesse: for his charitie had never ende, night, noone, nor daye: hee forbare one meale in three, one day in four for the most part, except something to comfort nature. Hee lay hard upon a pouffe of straw: coarse new canvasse sheetes, which, when he changed, he gave away. Hee had commonly by his bedside a tubbe of water, in the which (his people being in bed, the candle put out, and all quiet) he used to bathe himselfe, as I, being very yong, being assured often, heard him, and in one light night discerned him. Hee loved me tenderly, and I him, for my age, as effectually. Hee taught with great modestie and gravitie, so that some of his people thought him severe, and would have slain him, but the Lord was his defence. And hee, after due correction for their malice, by good exhortation amended them, and he went his way. O that the Lord had left him to mee his poore boy, that hee might have finished that he had begunne! For in his religion he was, as you see heere in the rest of his life, when he went

walk, but fervent in his doctrine. Before he came to Scotland in the year 1539, he brought himself under ecclesiastical process in England, and for a sermon he had preached in the Church of St Nicholas, at Bristol, he accepted the symbolic incrimination of a heretic who recants by burning his fagot. The records of that city call him "a stiff-necked Scot," say "he gave forth the most blasphemous heresy that ever was heard, openly declaring that Christ's mother had not nor could merit for Him nor yet for us."¹ He had little or none of the political activity and worldly sagacity of John Knox; and had he possessed them, he lived in a time when such qualities could not have been so openly put to purpose. The converts to the reformed faith were few and hesitating; for the one great cause of the national independence was strongest everywhere, and bore down all others. Thus Wishart was not a conspicuous man in his day. His celebrity arose from his death, not the events of his life, and these have consequently been dug out of obscurity by the zeal of the historians of the Reformation. The scantiness and coldness of his auditory, and the meagreness of his following, were the great grief of his life. The first occasion in which John Knox comes forth from the obscurity of his youth is when he meets Wishart at Haddington in the winter of 1545. The prophetic preacher had expected a great audience there, but was disappointed. We have Knox's own report of what he said, charging the people

into Scotland with divers of the nobilitie, that came for a treaty to King Henry the Eight. His learning was no less sufficient than his desire, alwayes prest and readie to do good in that hee was able, both in the house privately, and in the schoole publickely, professing and reading divors authours.

"If I should declare his love to mee and all men, his charitie to the poore, in giving, relieving, caring, helping, providing, yea infinitely studying how to do good unto all, and hurt to none, I would sooner want words than just cause to commend him.

"All this I testifie, with my whole heart and trueth, of this godly man. Hee that made all, governeth all, and shall judge all, knoweth I speake the throth, that the simple may be satisfied, the arrogant confounded, the hypocrite disclosed. — Emery Tylney." — Foxe's Martyrs (edit. 1641, p. 616); reprinted, M'Crie's Knox, 326.

¹ M'Crie's Knox, 327.

with rushing to the wild mummeries which ushered in the new year, and deserting the preacher of the Word.

“ ‘O Lord, how long shall it be that Thy Holy Woord shall be despysed, and men shall not regard their awin salvatioun? I have heard of thee, Hadingtoun, that in thee wold have been, at ane vane clerk play, two or three thowsand people; and now to hear the messenger of the Eternall God, of all thy toun nor parish cannot be nombred a hundreth persons. Sore and feirfull shall the plagues be that shall ensew this thy contempt, with fyre and sword thou shalt be plagued; yea, thou, Haddingtoun, in speciall, strangers shall possesse thee, and you, the present inhabitantes, shall either in bondage serve your enemies, or ellis ye shall be chassed fra your awin habitationis, and that because ye have not knowin, nor will not know the time of God's merciful visitatioun.’ In such vehemency and threatenynge continewed that servant of God near ane hour and ane half, in the which he declared all the plagues that ensewed as plainlie as after our eyes saw thame performed. In the end he said, ‘I have forgotten myself and the mater that I should have entraited; but lett these, my last woords as concerning publick preaching, remaine in your myndis till that God send yow new comforte.’ Thairefter he made a short paraphraisis upon the second table, with an exhortatioun to patience, to the fear of God, and unto the works of mercy; and so put end, as it war, making his last testament, as the ischew declaired, that the spirit of truth and of true judgement war both in his heart and mouth. For that same night was he apprehended, before midnight, in the house of Ormestoun, by the Erie Bothwell, made for money butcher to the cardinall.”¹

From the same powerful pen we have an account of his apprehension, from which it appears that Knox himself attended the preacher as his champion, armed with a two-handed sword. Knox having been present, we may take his account as accurate, making some allowance for high colouring.²

¹ History, i. 138

² “The manner of his tackin was thus: Departing frome the tounie

Wishart was conveyed to St Andrews for trial and execution. There are no materials for a distinct account of the process against him. Like the other inquests of the ecclesiastical courts, it has left no written testimony; and this is a feature of that class of procedure that demands

of Hadingtoun, he tuk his good-nycht, as it war for ever, of all his acquittance, especiallye from Hew Douglas of Langnudrye. Johne Knox preassing to have gone with the said Maister George, he said, 'Nay, returne to your barnes, and God blisse yow. One is sufficient for one sacrifice.' And so he caused a twa-handed sweard (which commonly was caryed with the same Maister George) be tackin fra the said Johne Knox, who, albeit unwillinglie, obeyit, and returned with Hew Douglas of Langnudrye. Maister George, having to accompany him the Lard of Ormestoun, Johne Sandelandis of Caldar, younger, the Lard of Brouneston, and otheris, with thare servandis, passed upoun foote (for it was a vehement frost) to Ormestoun. After supper he held comfortable purpose of the death of Goddis chosen childrin, and mearely said, 'Methink that I desyre earnestlye to sleep,' and thairwith he said, 'Will we sing a psalme?' And so he appointed the 51st Psalme, which was put in Scotishe meter, and begane thus :—

'Have mercy on me now, good Lord,
After Thy great mercy, &c.

Which being ended, he past to chalmer, and sonar then his commoun dyet was past to bed, with these wourdis, 'God grant quyet rest.' Befoir mydnycht the place was besett about that none could eschape to mack advertisement. The Erle Bothwell came and called for the lard, and declaired the purpose and said, 'that it was but vane to make him to hold his house, for the governour and the cardinall with all thare power war cuming' (and indeid the cardinall was at Elphinstoun, not a myle distant from Ormestoun); 'but and yf he wold deliver the man to him, he wuld promise upoun his honour that he should be saif, and that it should pass the power of the cardinall to do him any harme or skaith.' Allured with these wordis, and tackin counsall with the said Maister George (who at the first word said, 'Open the yettis; the blissed will of my God be down'), theie receaved in the Erle Bothwell himself, with some gentilmen with him, to whome Maister George said, 'I praise my God that sa honourable a man as ye, my lord, receavis me this nycht, in the presence of these noblemen; for now I am assured that, for your honoris saik, ye will suffer nothing to be done unto me besydis the ordour of law. I am nott ignorant that thaire law is nothing but corruptioun, and a clock to sched the bloode of the sanctes; but yitt I lesse fear to dye openlye then secreatlye to be murdered.' The said Erle Bothwell answered, 'I shall not onelye preserve your body from all violence that shall be purposed against yow without order of law, but also I promeisse, hear

some special notice.¹ The accounts of his examination are full enough; but they bear the mark of Knox's vehement colouring, and show us, throughout, a man, meek, logical, serene, arguing with furious and abusive persecutors. Indecorum was not one of the faults of the high ecclesiastics of the day; and when we find an inquest beginning in this fashion, it is needless to seek in the account for precise accuracy:—

“Right against him stood up one of the fed flock, a monster, Johne Lawder, laden full of cursing writtin in paper, of the which he took out a roll boyth long and also full of cursings, threatenings, maledictions, and words of devilish spite and malice, saying to the innocent Maister George so many cruell and abominable words, and hit him so spitefullie with the Pope's thunder, that the ignorant people dreaded lest the earth then would have swallowed him up quick. Notwithstanding, he stood still with great patience hearing thare sayings, not once moving or changing his countenance. When that this fed sow had red throwghout all his lying menaceings, his face runnyng down with sweat, and frothing at the mouth like ane bear, he spate at Maister George his face, saying, ‘What answerist thou to these sayings, thou runnigat, traitor, thief,

in the presence of these gentilmen, that neyther shall the governour nor cardinall have thair will of yow; but I shall reteane yow in my awin handis, and in my awin place, till that eyther I shall make yow free, or ellis restoir yow in the same place whare I receive yow.’ The lardis foresaid said, ‘My lord, yf ye will do as ye have spokin, and as we think your lordship will do, then do we hear promesse unto your lordship, that not only we ourselfis shall serve yow all the dayis of our lyiff, but also we shall procure the haill professors within Lotheane to do the same. And upoun eyther the preservatioun of this our brother, or upoun his delyverie agane to our handis, we being reasounable advertised to receive him, that we, in the name and behalf of our friendis, shall deliver to your lordship, or to any sufficient man that shall deliver to us agane this servand of God, our band of manrent in maner foirsaid.’ As thus promesse maid in the presence of God, and handis stracked upon both the parties for observatioun of the premisses, the said Maister George was delivered to the handis of the said Erle Bothwell, who, immediatlye departing with him, came to Elphinstoun, whare the cardinall was.” History, i. 139-142.

¹ See chap. xxxvii.

which we have duly proved by sufficient witness against thee?' " ¹

The end is, unfortunately, not to be doubted. Wishart was condemned, and handed over for execution to the civil power. He was put to death in the usual manner by burning, and met his end with the heroism of a true spiritual soldier. ²

A picturesque incident of the burning of Wishart has got into history, but it is material to note that Knox does not tell it. Cardinal Beaton, it is said, from the keep of his castle, looked exultingly on the conclusion of the tragedy. Wishart, pointing to him, said that, seated there as he was in all his pomp and power, the day was not far distant when his lifeless body should hang in ignominy from the same tower. If Wishart did forebode the cardinal's death, it is possible that he might have reason to believe in the fulfilment of such a prediction without possessing the gift of prophecy. ³

The cardinal was as eagerly sought after by Henry VIII., as his uncle had been by Wolsey. When he went

¹ History, i. 151.

² Knox, 152. The account in Knox's History is the same, with merely accidental variations, as that which Foxe printed in his Acts and Monuments "ex scripto testimonio Scotorum."

³ What Foxe says on this point is peculiar. The rubric or marginal abridgment is, "Mr George Wishart prophecyeth of the death of the cardinal, which followed after;" but this is scarcely warranted by the text. "Last of all he said to the people in this manner: 'I beseech you, brethren and sisters, to exhort your prelates to the learning of the Word of God, that they at the last may be ashamed to do evil and learn to do good. And if they will not convert themselves from their wicked error, then shall hastily come upon them the wrath of God, which they shall not eschew.'"—Acts and Monuments, ii. 620.

Among the interpolated passages in the popular editions of Knox's history, set forth in the appendix to Laing's edition, is this: "Then Mr Wischarde, looking towards the cardinal, said, 'He who in such state, from that high place, feedeth his eyes with my torments, within few days shall be hanged out at the same window, to be seen with as much ignominy as he now leaneth there in pride.'"—Works of John Knox, i. 485. Has, then, this very dramatic incident been suggested by the careless marginal indication in Foxe's work, as an improvement on the original work of Knox, where it does not occur?

to France in 1542, full information of his motions was sent to the English Government, and vigorous efforts were made to intercept him ; but these failed, much to the disappointment of those concerned. When Hertford reported that some of the French in the service of Scotland had offered to change sides, he was instructed to be cautious of such coadjutors—in fact, to give them no countenance unless they should, in proof of their zeal, do some notable damage to the enemy, as “trapping or killing the cardinal, Angus, the governor, or some other man of estimation.”¹ The state papers of the period are full of evidence that the cardinal was in danger. There were plots for kidnapping him, and if they should miscarry, by any mischance that might cause his death, such a result would not be counted a blunder. The question arises, Was Wishart aware of all this? A fierce, vehement, unscrupulous writer on the Popish side asserted that he had joined the conspiracy for putting the cardinal to death, and that he prophesied according to his knowledge. That author spoke of Wishart as justly suffering, according to the sacred canons, for his wicked schism and presumptuous blasphemies. His execution was treated as an act of wise severity, which checked the spread of the Lutheran doctrines in Scotland, and gave quiet to the land until Satan let loose another band of his satraps headed by Calvin.² A charge, uttered in such a tone, against the idol of the opposite party, was not likely to be received by them with much respect, embodied as it was in a book signally filled with partialities and falsehoods. A later writer on Scots history professed to have seen a state paper which corroborated the charge, but he too was a partial scribe ; and though he did not, like the other, think it his duty to support a cause by falsehoods and fabrications, he was known to be careless and credulous.³ Other searchers failed to

¹ State Papers (Henry VIII.), v. 512.

² Dempsteri *Historia Ecclesiastica Gentis Scotorum*, ii. 599.

³ Dr George Mackenzie's *Lives of Scots Writers*, iii. 18. He professed to quote certain copies, in the Advocates' Library, of Sir Ralph Sadler's despatches ; but the shape in which he presented an extract from them was not calculated to inspire confidence. It began thus :

find the document he founded on, and the charge against Wishart passed away into oblivion with other vain stories. But, unexpectedly to every one interested in that chapter of history, letters of the period now before the world seem to show that for once a charge by the fiery and unscrupulous Dempster had some foundation.

The whole is best told in the words of the letters themselves. In the spring of the year 1544, King Henry received a despatch from Lord Hertford containing the following passage: "Please it your highness to understand that this day arrived here, with me the Earl of Hertford, a Scottishman named Wysshart, and brought me a letter from the Laird of Brunstone, which I send your highness herewith; and, according to his request, have taken order for the repair of the said Wysshart to your majesty by post, both for the delivery of such letters as he hath to your majesty from the said Brunstone, and also for the declaration of his credence, which (as I can perceive by him) consisteth in two points; one is, that the Laird of Grange, late Treasurer of Scotland, the Master of Rothers, the Earl of Rothers's eldest son, and John Charters, would attempt either to apprehend or slay the cardinal at some time when he shall pass through the Fife land, as he doth sundry times to St Andrews; and, in case they can so apprehend him, will deliver him unto your majesty; which attempt he saith they would enterprise, if they knew your majesty's pleasure therein, and what support and maintenance your majesty would minister unto them after the execution of the same, in case they should be pursued afterwards by any of their enemies."¹ Wishart got a private audience of King Henry accordingly. The two dealt with some secondary projects for raising a body to co-

"This day arrived from Scotland Mr Wisheart, who brought me a letter from my Lord Brimstone," &c. This being a name utterly strange to those best acquainted with Scots titles, afforded neither temptation nor aid towards further inquiry; the blundering biographer could not have done better, if his design had been to divert away inquiry from the strange record of desperate intrigues which lay open before him.

¹ State Papers (Henry VIII.), v. 377

operate with Henry's inroads, and "burn and destroy the abbots', bishops', and other kirkmen's lands;" and Henry offered to contribute a thousand pounds to this good work, and "for their true and upright dealing therein," whenever he feels secure that "they mind effectually to burn and destroy." The chief question before them, the dealing with the cardinal, is intimated, along with these other matters, in a despatch by the Council of England to Hertford, thus: "Furthermore, your lordship shall understand that Wishart, which came from Brunston, hath been with his majesty, and for his credence declared even the same matters in substance whereof your lordship hath written, and hath received for answer, touching the feat against the cardinal, that, in case the lords and gentlemen which he had named shall enterprise the same earnestly, and do the best they can, to the uttermost of their powers, to bring the same to pass in deed—and thereupon, not being able to continue longer in Scotland, shall be enforced to fly into this realm for refuge—his highness will be contented to accept them, and relieve them as shall appertain."¹

The affair came before King Henry in another shape—a letter from the Earl of Cassilis to Sadler, containing, as its terms are recorded in a brief and business manner by the English Privy Council, "an offer for the killing of the cardinal, if his majesty would have it done, and would promise, when it were done, a reward." The official answer to this request is a singular piece of clumsy duplicity, rarely matched except in the dealings of Henry's daughter Elizabeth: "His majesty hath willed us to signify unto your lordship that his highness, reputing the fact not meet to be set forward expressly by his majesty, will not seem to have to do in it; and yet, not misliking the offer, thinketh good that Mr Sadler, to whom that letter was addressed, should write to the earl of the receipt of his letter containing such an offer, which he thinketh not convenient to be communicated to the king's majesty—namely, to write to him what he thinketh of the matter

¹ Hamilton Papers, 96.

(he shall say), that if he were in the Earl of Cassilis's place, and were as able to do his majesty good service there, as he knoweth him to be, and thinketh a right good will in him to do it, he would surely do what he could for the execution of it, believing verily to do thereby not only acceptable service to the king's majesty, but also a special benefit to the realm of Scotland, and would trust verily the king's majesty would consider his service in the same; as you doubt not of his accustomed goodness to them which serve him, but he would do the same to him."¹

After some less distinct correspondence, the project came to lie between Sadler and the Laird of Brunston. In a long letter of instructions from Sadler, some relate to the affair which, for the sake of brevity, is called "the killing of the cardinal," and of these the following may suffice:—

"I am of your opinion, and, as you write, I think it to be acceptable service to God to take him out of the way, which in such sort doth not only as much as in him is to obscure the glory of God, but also to confound the common weal of his own country. And albeit the king's majesty, whose gracious nature and goodness I know will not, I am sure, have to do nor meddle with this matter touching your said cardinal for sundry considerations, yet if you could so work the matter with those gentlemen your friends, which have made that offer, that it may take effect, you shall undoubtedly do therein good service both to God and to his majesty, and a singular benefit to your country. Wherefore, like as if I were in your place, it should be the first thing I would earnestly attempt, thinking thereby, for the respects aforesaid, chiefly to please God and to do good to my country, so I shall give you my advice to travail in the same effectually with the said gentlemen your friends, and to cause them to put the matter in execution; assuring you that I know the king's majesty's honour, liberality, and goodness to be such (which also is not unknown to you) as you may be sure his majesty will so liberally reward them that do his high-

¹ State Papers (Henry VIII.), v. 449, 450.

ness honest service as they shall have good cause to be contented. And if the execution of this matter doth rest only upon the reward of the king's majesty to such as shall be the executers of the same, I pray you advertise me what reward they do require, and if it be not unreasonable, because I have been in your country, for the Christian zeal that I bear to the common weal of the same, I will undertake it shall be paid immediately upon the act executed, though I do myself bear the charge of the same, which I would think well employed." ¹

Naturally enough it is maintained that Wishart the martyr cannot be the same man as the Wishart, a Scotsman, who entered so earnestly into the business of the killing of the cardinal. There were other Wisharts in those days, and as they cannot be identified, it were better that the scandal should lie generally among them. It is, however, likely that, if there had been another Wishart so important as to have close communication with Hertford, Sadler, and other statesmen, and to get private audience of Henry VIII., he could be identified. To the observer from without, Wishart the martyr is part of the group occupied in the affair; removing him from that group breaks it up almost more than the removal of any other—of Leslie, Ormiston, or Brunston. This, however, will of course go for nothing with those who entertain it as an article of creed, that the man who could sacrifice his own life for the cause of the Reformation was incapable of taking another life for the same cause.

These ugly revelations of the state papers, if they show us one fallen star, show others. The ardent polemic who deems himself the soldier of the Lord in a contest with Satan, demands charitable allowances; he is the desperate combatant in the front ranks of a deadly struggle, who neither asks nor gives quarter. Henry VIII. is an exception to everything. But what shall we say for English statesmen of that age when the spirit of chivalry was mellowing itself into that model of social excellence, the English gentleman? what for Hertford and Sir Ralph Sadler?

¹ State Papers (Henry VIII.), v. 471.

The cardinal seems to have felt himself very secure in that fortress where his uncle and he had so long defied their enemies both of England and Scotland—so secure, that he could afford to be careless. There was building going on, and it was between five and six o'clock on the morning of the 29th of May that, as the workmen were going in at the gate, Norman Leslie, the eldest son of the Earl of Rothes, with two assistants, slipped in along with them. They were followed by James Melville with other three, who parleyed at the gate, negotiating for an interview with the cardinal. While they conversed, the young Laird of Grange came up with eight men all armed. The appearance of these roused the porter to his duty, but ere he could do anything he was stabbed and pitched into the moat. With extraordinary dexterity, the few defenders who were in the castle were driven out in detail along with the workmen, and all gates closed and guarded. The cardinal, hearing unusual and formidable sounds, was mounting the turnpike stair of his keep to see from the ramparts what was astir; there he met the invaders, and was put to death. Knowledge of the blow was soon spread by those who were driven out; the common bell was set a-ringing, and the townfolks rushed tumultuously to the castle, with their provost at their head. It was soon shown them, however, that they were too late, even could they have done anything. To show that their work was completed, the conspirators exposed the body of the cardinal over the wall, hanging by a leg and an arm. The place was too strong to be assailed save by an army, and the small body of invaders, sixteen in all, were in safe possession.¹

¹ See the account in Knox's History, corrected from a report transmitted to Wharton (State Papers, Henry VIII., v. 560). The following conclusion to Knox's narrative is very characteristic of him: "Whill they war thus occupied with the cardinall, the fray rises in the toun. The provest assembles the communitie, and cumis to the fowlsels syd, crying, 'What have ye done with my lord cardinall? Where is my lord cardinall? Have ye slayne my lord cardinall? Lett us see my lord cardinall!' Thei that war within answered gentilye, 'Best it war unto yow to returne to your awin housis; for the man ye call the cardinall has receaved his reward, and in his awis persone will truble the world no more.' But then more enraigedlye,

Here was a strong refuge to which the Protestantism of Scotland might repair. There soon gathered within the walls a sufficient garrison of determined men. It was their good fortune to find the place well victualled by its former owner; and although, after a time, they sometimes suffered straits, they were able to keep open a communication with the sea, through which they got supplies from English vessels. Among the valuable possessions to which they succeeded was a young guest of the cardinal, a son of the regent. King Henry wanted them to make him a gift of this youth, and he set down the Castle of St Andrews as now virtually a possession of England; but he would probably have found that the actual holders entertained different views.

Hostile measures of all kinds were taken against the garrison. An act of forfeiture was passed against those who had actually taken hand in the seizure of the castle and the murder of the cardinal. All the military resources which the governor could command were in vain employed in the siege; the walls were heavily pounded and much injured by cannon, but still the garrison held out month after month. Among the Protestant laymen of that age there was not much of the Puritanic spirit or practice; and, as was natural enough, a set of desperadoes like this garrison fell into deep orgies, and indulged in all available licentiousness. But they had among them a terrible monitor—John Knox himself—who had come among them, and ever raised his dread voice against them, and threatened them with the judgment of God for their

thei cry, 'We shall never departe till that we see him.' And so was he brought to the east blokhousse head, and schawen dead ower the wall to the faythless multitude, which wold not beleve befoir it saw: How miserably lay David Betoun, cairfull cardinall. And so thei departed, without *Requiem aeternam*, and *Requiescat in pace*, song for his saule. Now, becaus the wether was hote (for it was in Maij, as ye have heard), and his funerallis could not suddandly be prepared, it was thought best, to keap him from styncking, to geve him great salt ynewcht, a cope of lead, and a nuk in the boddome of the Sea-toore (a place where many of Goddis childrene had bein empresoned befoir), to await what exequies his brethrene the bischoppes wold prepare for him."—History, i. 178, 179.

wickedness. Knox had, indeed, accepted of the spiritual charge of this flock as of a congregation. He had not been called to the ministry according to any of the established forms. If he had been a priest, as some said, he had been degraded from the priesthood for his heresies. The pastoral position was accepted by him as the will of the Supreme Being specially dealing with the unexampled conditions in which he stood. His conduct has been treated by many of his own Church in a dubiously apologetic tone ; and it is observable that the Church of Rome, the most punctilious of all in the exaction of formalities, contains the most ingenious machinery for dispensing with them in cases of necessity or exigency.

For fourteen months did the garrison defy all the efforts of the regent. At length a French force, under the command of Leo Strozzi, Prior of Capua, was brought over in sixteen galleys, and an attack opened both by sea and land. They did the work speedily ; and the following account in the Pitscottie Chronicle shows how the foreigners despised the skill of the Scots, both in the defence and the attack of fortified places, and with what justice they did so :—

“They came so suddenly upon the castle, that they who were without might not get in, nor they who were within might not get out. The Frenchmen leapt so hastily about the said castle and trenched it round about, so that they were hastily enclosed ; syne manned artillery on the college steeple, and also upon the walls of the abbey kirk, and condemned all the close and wall heads that were within the castle, that no man that was within the castle durst move through the close, nor pass to the wall heads. Then the French captain said to the governor, ‘They have been inexpert men of war that have sieged the castle, that would not lay artillery to all the steeple heads and high parts, which would ever have condemned the castle ; and I marvel that they who are within the same have let the steeple heads stand, which at all times have put them down from shooting and defending of themselves ; therefore, will God, your lordship shall see to-morrow, or six hours at night, I shall make your lord-

ship an easy passage through the castle, and make them to obey you who are within the same.' Then the captain laid to the great battery—to wit, the two great Scots cannons, whereof we spoke before, and six French cannons. Their captains devised very craftily that the cannons should pass down the gait them alone with windessis to save men from slaughter. But there happened an Italian to be in the castle for the time, who was sent to them out of England for their support, and was their deviser : but when the cannons were coming down the gait them alone, he said to the captains and men of war, 'Defend yourselves, masters, for now ye deal with men of war who are very skilful and subtle, for they lay to their cannons without sight of men with them.' At thir sayings, the captains and men of war took great care, and said they should keep their castle for Scotland, England, and France, all three. But they were beguiled ; for within six hours after the battery was laid to the castle, and blaidit partly by the cannons that came down the gait them alone, and partly with the cannons that were stelled upon the steeple heads. Then the captain of the castle grew afraid, and went to council to see if they should give it over freely, or defend it to the uttermost : but at last they concluded that they would give it over to the French captain, and put themselves in the King of France's will, as they did. Then the Frenchmen entered the castle, and spoiled very rigorously, where they got both gold, silver, clothing, bedding, meat and drink, with all weapons, artillery, and victuals, and all other plenishing pertaining to the said castle, and left nothing behind them that they might get carried away in their galleys : and took all the captains and keepers of the said castle as prisoners, and had them away to the King of France. Syne the governor and council concluded, that they would ding down the said castle to the ground, that it should not be holden again as a strength : which was done hastily at command of the council. This castle was won in the month of August 1547 years."¹

¹ Pitscottie, i. 488-491.

There was yet to be another event to complete this strange, wild story. The Scots garrison were taken to France, and treated as criminals. Knox, with some others—men of position in their own country—were made galley-slaves, and had to work chained to the benches running along the edge of the vessel, where the brutal misery of their condition was separated and hidden from the other parts of the vessel frequented by the passengers and sailors.

If Knox had told us something of his experience in galley-life, it would have been more valuable than his survey of the events that were passing in Scotland during his absence. On his return in 1559, when preaching in St Andrews, he reminded his audience how he had been "reft by the tyranny of France" from his post there, as they well knew; but he cannot dwell upon the matter, saying, "How long I continued prisoner, what torment I sustained in the galleys, and what were the sobs of my heart, is now no time to repeat."¹ Among his scant notices of his own and his brethren's fate, we find that one detachment of the captives was taken to Sherisburgh or Cherbourg. Among these were Norman Leslie, Kirkcaldy of Grange, and Monypenny of Pitmelly. Of them, and of another party detained in Mont St Michel, Knox tells instances of noble resistance to Popish compliances urgently pressed upon them; as, when they were required to attend mass, they answered, "No; and if ye would compel us, yet will we displease you further, for we will so use ourselves there that all those who are present shall know that we despise it." Knox had an abundance of faith ever at hand for such stories about his coadjutors; but earnest and overpowering religious convictions were not the stuff of which the consciences of the ex-garrison of St Andrews were made.

When he tells us of another repudiation, we can well believe it, because a certain tone of triumphant chuckling wherewith he delivers "the merry fact" shows that he was himself the hero of the affair. It was in one of the

¹ History, i. 349.

galleys stationed in the Loire, off Nantes, that "great *salve* was sung, and a glorious painted lady was brought to be kissed, and, among others, was presented to one of the Scottishmen then chained. He gently said, 'Trouble me not; such an idol is accursed, and therefore I will not touch it.'" They forced it, however, into his hands; and having so got it, "advisedly looking about, he cast it in the river, and said, 'Let our lady now save herself; she is light enough, let her learn to swim.'" After that, we are told that the Scots among the slaves were no longer troubled with such importunities, and were even permitted, during the singing of the *salve*, "to put on their caps, their hoods, or such thing as they had to cover their heads."

Kirkcaldy of Grange, two Leslie's, and Peter Carmichael, in Mont St Michel, managed to seize and lock up their guards. They then easily escaped; but they encountered great hardships and difficulties. Kirkcaldy and Carmichael set up as professed mendicants, and wandered to La Coquette, a seaport in Brittany, where they entered themselves as mariners, and, after one or two coasting voyages, got landed in England from a French vessel. "Great search," says Knox, "was made through the whole country for them; but it was God's good pleasure so to conduct them that they escaped the hands of the faithless."

Before making their escape, it appears that they consulted Knox about the lawfulness of doing so. What end they had in referring to him it is hard to say, but we may easily pronounce that it could arise out of no tenderness of conscience touching such a step. Knox's dealing with the question deserves note. On more than one occasion he has given scandal by the tone in which he has treated acts of murderous violence. Some great deed, however, in which the Deity wrought His objects through the hands of violent men, was exceptional. Knox was not, in ordinary affairs, a man of blood, like the fiery Huguenots, from whom he took his faith. He dealt out, indeed, to the captives, a doctrine far too refined for men so rough-handed. "That if without the blood of any shed

or spilt for them for their deliverance they might set themselves at freedom, that they might safely take it ; but to shed any man's blood for their freedom, thereto would he not consent." He added, that "he was assured that God would deliver them and the rest of that company, but not through their own endeavours or the help of earthly friends." They, however, as we have found, did not place such absolute trust in this prediction as to let pass a good opportunity of working their freedom by their own hands.

We have one more little incident of the captivity ; it is a touching one, and shows us Knox himself in his gentler mood. His galley-companion, James Balfour, asked "if he thought that ever they should be delivered ;" to which Knox answered, "that God would deliver them from that bondage to His glory even in this life." Soon after this their galley coasted Scotland, passing familiar spots. They were tossing in the Bay of St Andrews, where Knox was so reduced by sickness that "few hoped for his life," when his companion, turning to him, "willed him to look at the land, and asked him if he knew it ;" who answered "Yes, I know it well ; for I see the steeple of that place where God first in public opened my mouth to His glory ; and I am fully persuaded, how weak that ever I now appear, that I shall not depart this life till that my tongue shall glorify His godly name in the same place."

He continues to tell how "this reported the said Maister James, in presence of many famous witnesses, many years before that ever the said John set his foot in Scotland this last time to preach." Yet of this James, who was then "wondrous familiar with him," he had afterwards to regret that he was released in the body to be enslaved in the mind ; for he became so far a backslider that we find him distinguished by Principal Robertson as "the most corrupt man of his age," an expression condensing within it a terrible mass of criminality. It was Knox's fate to find such changes in his most zealous coadjutors when his own hand was weak and worldly temptation strong ; and even of those Leslies whom he believed to have stood so gallantly for the truth, he has to record that

they had become "enemies to Christ Jesus and to all virtue."¹

In February 1549, Knox was released, but how we know not. He abode in the south of England until the death of Edward VI., when he found refuge and congenial duty in Geneva. Thus for some years after the capture of St Andrews he and his cause disappear from the face of Scots history, which holds on in other shapes as if their brief day were finally over.

During these affairs, Henry VIII. passed to his great account. To the last he was characteristic in his dealing with Scotland, showing a flighty waywardness signally in contrast with the steady determination and deep policy of Edward I. He had one fixed object—a remorseless enmity to the country, and a determination to do it all possible mischief; but his devices for that end were uncertain to childishness. He was busy negotiating with Angus, Cassilis, and the other "assured lords;" and receiving from them, as things of value, renewed assurances of devotion and promises of help, which seem almost to have been made in very derision.

The policy of aggression did not die with him. The long wars, the continual pounding by a stronger neighbour "down against them," as Wharton said, "to their great beggary," had left the Scots small apparent power of resistance; and Somerset the governor thought that the business might now be finished by one good blow. Accordingly an army of fifteen thousand men crossed the border, under Somerset himself. They met no effective interruption. At the steep cleft of Cockburnspath, which a small force could have thoroughly defended, they found nothing more to interrupt them than some breaking up of the zigzag paths up the rocks, which their pioneers easily remedied. A fleet moved northwards by sea parallel with the army, and both stopped at the old town of Musselburgh, on the coast, six miles eastward of Edinburgh. A large Scots force was assembled by the regent, but it is surely exaggeration to say that it exceeded thirty

¹ History, i. 225-231.

thousand men. After some shifting of ground and skirmishing, the two forces took up position on either side of the small river Esk. The English had the range of a succession of low hills, the highest of which were called Carberry and Fauside; they form the sky-line to the west from the sea-shore. On the other side of the Esk the Scots had a strong position on a flat plain or terrace elevated by a steep bank above the Esk. An English observer who was present thus describes their position: He had "a full view of their camp, whereof the tents as I noted them were divided into four several orders and rows lying east and west, and a prik shot asunder, and mustered not unlike, as thought me, unto four great ridges of ripe barley. The plot where they lay so chosen for strength as in all their country some thought not a better: safe on the south by a great marsh, and on the north by the Firth, which side also they fenced with two field-pieces and certain hackbuts a' crock, lying under a turf wall; Edinburgh on the west at their backs, and eastward between us and them strongly defended by the course of a river called Esk, running north into the Firth, which as it was not very deep of water, so were the banks of it so high and steep, after the manner of the Peaths mentioned before in our Monday's journey, as a small sort of resistances might have been able to keep down a great number of comers up. About a twelve score off from the Firth, over the same river, is there a stone bridge, which they did keep also well warded with ordnance."¹

We are told that Somerset and his lieutenant, Dudley, Earl of Warwick, descended from Fauside Brae towards the small rising ground where the Church of St Michael of Inveresk stood, and the later parish church now stands. There they were addressed by a herald, who said he came from Huntly, the commander of the Scots army, to render a proposal for avoiding bloodshed. It was an offer to

¹ Patten's Account of Somerset's Expedition (reprint), 48. Patten calls himself Londoner, and supports his claim by the preposterous comparison of the banks of the Esk with the great ravine of the Peaths.

meet Somerset in chivalrous combat with companions, twenty to twenty, ten to ten, or, if he preferred it, the two generals man to man ; but Somerset answered that he was not to peril his cause on such a venture, and offered some further but less cogent reasons about inequality of rank as between the challenger and the challenged. The proposition was so far astray from any practical conclusion, that it was set down as a device by George Douglas for obtaining information about the English army.

On the morning of Saturday the 10th of September, when the English army were astir, under some order to bring them into fighting condition, they were surprised to find the Scots leaving their strong position and coming to meet them. The Scots had to pass the Esk ; and as they made use of the old bridge still standing, some of them were killed by the cannon of the English vessels. The Londoner, who records his experiences of this affair, could only account for the movement of the Scots from their strong ground on the theory that they were afraid of Somerset's army retreating and slipping out of their hand. He says, "We came on speedily on both sides, neither as thereunto any whit aware of other's intent ; but the Scots, indeed, with a rounder pace between the two hillocks betwixt us and the church, they mustered somewhat brim in our eyes, at whom, as they stayed there a while, our galley shot off and slew the Master of Graham, with five-and-twenty near by him."¹

The Scots passed westward of the church. There was a broad stretch of almost level land, with a slight elevation towards the east and west, and there the Scots leader thought fit to force a battle. The ground might be pretty equal for both ; but the Scots army was under the disturbing influence of a sudden change of position, while the English were moving on their own ground. It is an expressive testimony to the impulsiveness of the movement carrying the whole Scots army away from its position, that the English chronicler of the battle says they came on more like horse than foot soldiers.

The English were strong in cavalry, which for centuries had been a preponderating power with them, and in artillery, which was becoming another. As the Scots were forming themselves, a body of horsemen was sent to try them; and the reception these met, described by the English chronicler of the battle, from his own side, is a good example of the Scots tactic for receiving the enemy's charge on a clump of long spears.¹

From this prickly mass, according to the same narrator, came challenges as the English cavalry approached. "As our men were wellnigh them, they stood very brave and bragging, shaking their pike-points, crying, 'Come here, loons! come here, heretics!' as hardly they are fair-mouthed men."²

The attacking force was scattered, and a pursuit was made by the Scots, who had better have remained at their post. They killed a considerable number of the fugitives; and it was noticed that many of those slain were persons of consideration, whose loss was a blow to the English side, which had to be avenged. In charging, the English

¹ "Hackbuts have they few or none to appoint theyr fight most commonly alwais a-foot. They cum to the felde well furnished all with jak and skull, dagger, buckler, and swoordes, all notably brode and thin, of excedinge good temper, and universally so made to slyce, that, as I never saw none so good, so think I it hard to devyse the better: hereto every map his pyke, and a great kercher wrapped twyse or thrise about his neck, not for cold, but for cutting. In their aray toward the joining with the enemy, they cling and thrust so nere in the fore ranke shoulder to shoulder together, wyth their pykes in bothe handes strayght afore them, and their followers in that order so harde at their backs, laiynge their pykes over theyr sooregoers' shoulders, that if they do assaile undissevered, no force can well withstand them. Standing at defence, they thrust shoulders lykewise so nie together, the fore rankes wel nie to kneling, stoop lowe before for their fellowes behynde, holdynge their pykes in both handes, and thearwith in their left their bucklers, the one end of the pyke agaynste their right foot, the other against the enemy, brest hie, their followers crossing theyr pyke-pointes with theim forwarde, and thus each with other so nye as place and space wil suffer, thurgh the hole wardes so thick, that as easily shall a bare fynger perce through the skyn of an angrie hedgehog as ony encounter the frunt of their pykes."—Patten's Account, 58, 59.

² Ibid., 60, 61.

found a ditch which they had some difficulty in crossing—it may be seen yet. On their return they were prepared for it, but the Scots pursuers were not, and it confused them. While this secondary affair went on, the main body of the English army dressed and formed on the upper bend of the ground with entire composure and security, drawing in and placing the stragglers scattered by the attack on the Scots. The greater part, indeed, of the English army appears to have been still concealed from the Scots behind the low sky-line of Fauside ridge.

It was determined to attempt no more skirmishes, but to let the Scots army feel the full weight of the well-appointed host they were so impatient to encounter. The Scots had no cavalry. Those who had horses left them in the camp on the other side of the river; and this tactic was so unaccountable on the English side, that the historian of the battle could only suppose that the foot-men compelled the mounted men to relinquish their horses, as likely to afford them a temptation and a ready means to take to flight. There was an unwonted element in that army—a body of Highlanders. Though their descendants became valuable troops when properly handled, they were ever at that time deemed by Lowland levies more dangerous to their comrades than to the enemy. Their manner of fighting was not in harmony with that of the Scots spearmen and axemen, and, brought into such a host as was now assembled, became an element of uncertainty. The English narrator, indeed, says that the Highlanders—or the Irish, as he calls them—were the first to break rank and take to flight.

The English were preparing for a grand charge of all arms. It was made under the protection of bowmen in the flanks, and of artillery up on the brow of the hill, which could play over the heads of the English troops, making great havoc on the thick clumps of Scots spearmen. The charge was a surprise. It was so thoroughly effective, that it was instantly followed by a breaking up and flight. It was a flight utterly helpless, without one organising point. The Scots had suffered severely in other battles, as in Flodden, but they never had been so

disgraced. The crisis came early in the day, so that the victors could pursue with daylight. That they should spare was not expected, yet the slaughter was almost an entire extermination, and taught the lesson that the best chance for the soldier in battle is steadiness. Such was the battle of Pinkie.¹

Here, then, was another great calamity to a people ill able to bear it. The protector had founded on the exhaustion of the country—what was he to do now, after he seemed to have drawn its last drop of warlike blood? Some more secondary castles were taken. The vital strongholds, however—Edinburgh, Stirling, and Dumbarton—were still kept for Scotland. Somerset found business to attend to at home, and it is possible that he may have seen, all the better for having gained a victory, that it would take many battles and much cruel work to subdue Scotland. He returned with the greater part of his army, after it had completed the destruction of the Church of Holyrood Abbey, and committed other devastations round Edinburgh.

The day of Pinkie Cleuch was one of the memorable epochs in Scots history; it was the last great disaster in a contest for national existence—the turning-point at which there came life when hope seemed past. A success of an encouraging and peculiar character, of which we have only the outline, followed the disaster of Pinkie. It was in February 1548 that Wharton, as Warden of the Western Marches, rode a raid into Scotland with three thousand men, trusting that Maxwell, Angus, and others of the “assured Scots,” would bring their following to his aid, according to a promise they had made. The leaders professed to join him, but the followers turned fairly round

¹ The account given by a French soldier in the English service would impress the belief that the slaughter was restrained: “*Mes dicts seigneurs firent sonner la retraicte, se contentant de la victoire que le Seigneur leur avoit donnee, et ne voulant que le moins diffusion de sang q’il leur estoit possible.*”—*Recit de l’Expedition en Ecosse, &c.*, par le Sieur Berteville (Bannatyne Club), 16. All evidence shows, however, that the slaughter was on a scale seldom exemplified.

to their own countrymen. The force was thus subtracted from the invaders and added to their enemy. The renegades fought bitterly and mercilessly against their own comrades, and both Wharton and Grey, his lieutenant, were glad to carry away a shattered remnant of their English force. It was reported at the Court of France that this was a great victory over some nine or ten thousand invaders, of whom three thousand were slain; and the news went, with other events, to show that there still lived in Scotland a spirit of resistance which, with a little aid, might baffle England.¹

But there was prospect of another and more effectual relief to the miseries of the country. Independent and self-willed as the Scots people were, they had an almost religious veneration for their royal line. It became the more sacred in their eyes, from the way in which it had been preserved through attenuated threads of existence. It now ran in the life of an infant. For her, English armies invaded, and Scots armies fought them.

Though the three great fortresses of the south—Edinburgh, Stirling, and Dumbarton—were still in Scots hands, yet so systematically were the English obtaining one post after another, that soon there would be no place where the nation's treasure could be kept in safety. The measures taken for the security of the royal child, now six years old, are a curious example of the method in which the utmost available security was to be sought in Scotland in that age. This was not to be found in a garrison, however strongly posted. On Surrey's approach, the child had therefore been removed from Stirling. The place selected as of greater security was the flat island called Inchmahome, on the lake of Monteith, half-way between Stirling and the Highlands. From such a spot no enemy could be assailed as from a fortress; yet, on the principle of the lake-dwellings of older ages, it was still deemed less assailable than a fortress on land, or an island approachable by sea.² A small garrison could effectually keep off

¹ Turnbull's Calendar of State Papers, No. 73.

² See chapter iii.

any attempt that could be made by boats brought across the country by invaders ; and artillery had not then, or for long afterwards, a sufficient range to assail the island from the shore.¹

A way was at last devised for lightening national anxieties which were so heavy a burden—to remove out of the way of both parties the object of contest. If the infant queen were in distant safety, there might exist while she lived a tenure of nationality, however much Scotland suffered from invasion by England ; and by her removal, the object of hostility might at the same time depart from the land. This was a project, however, which could only be accomplished through the good services of the ancient ally, France. The English resident found Scotsmen there still as defiant as ever, even after the battle of Pinkie, and declaring that England should have nothing but what she took by force. In March 1548, it is announced that King Henry is determined not to suffer such old friends as the Scots to be oppressed by the English. The emperor's ambassador lets out that it is the intention to send to Scotland 6000 foot-men, 200 men-at-arms, and 500 light horsemen.² Never had friendly aid from the ancient ally been looked for with deeper anxiety ; it was the only salvation to Scotland from a struggle more desperate than any she had yet borne, if not from final conquest. On the 16th of June 1548, a French fleet landed at Leith with an army of 6000 foreign auxiliaries and a supply of cannon. The Estates met at Haddington, just recovered from the English after a hard struggle. There they discussed the weighty question of a marriage between

¹ The island is flat and heavily timbered, but it rests under the shadow of the Highland hills. Inchmahome is said, in Gaelic, to mean "the isle of peace." Living in the cloister of its monastery, the peaceful life of the child with her three Marys is provocative of reflection on the contrast it affords with the troubled world outside, and with the tragic career that was to be the future of the child. Whoever desires to see full and genial expression given to all that may be so suggested, will find his way to the paper on "Queen Mary's Child Garden," in the Second Series of Dr John Brown's *Foræ Subsecivæ*.

² Turnbull's Calendar of State Papers, No. 73.

the Queen of Scotland and the Dauphin of France, which the Sieur d'Essé, the French ambassador, was authorised to treat on. There was an understanding and more, that the royal prize was to be for the governor's son. Arran, indeed, held an obligation to this end under the seals of the chief nobles. In a firmer hand than his it would not have been easy to loosen such a hold. The chief difficulty lay indeed with his ambitious brother John, now a powerful man, as the successor of Beaton in the see of St Andrews. He had chafed angrily and indecorously at the easy way in which his brother had let slip the opportunities for aggrandising the house of Hamilton. It was said of him that, applying to the infant an offensive nursery expression of the day, he had asked his brother how he could let that thing be between him and a throne. The arrangement was made without difficulty, the Scots covenanting for all manner of securities for the independence of the country, and it was agreed that D'Essé should take the precious infant back with him to France.¹

The English Government knew that there was now an opportunity, and that it was the last. Arrangements were of course made to intercept D'Essé. The way in which the trap was escaped is one of the cleverest affairs of the kind on record. In great pomp the French squadron of Villegagne sailed down the Firth of Forth. It would have been intercepted and fought in the narrow seas as it crept along to France; but it turned suddenly northwards, and swept round Scotland by the Pentland Firth, then, coasting westwards, it reached Dumbarton. The queen had been conveyed to that sure fortress, and there she embarked. She was safely landed at Brest on the 30th of August.

The war continued, not so much for anything the English might now gain, as for what they had to lose. By the rude force of military possession they held considerable territory, and some secondary strongholds in the southern districts.

The most serious part of the work which had thus to be done showed a new feature in the method of holding a conquered country. In previous wars, the great point was to get possession of the inland fortresses. Now, when cannon and shipping were a material strength, especially in the hands of so rich a country as England, it was a great object to run up fortifications on points commanding the seaports or water-ways of the country. The Scots found that in several places fortresses, which it was difficult work to take, had thus grown up, as it were, in the hands of the English. Two of these were especially offensive to them—one on the island of Inchkeith, commanding Leith harbour, and giving refuge to vessels which might scour the Firth; the other at Broughty Ferry, still more closely commanding Dundee and the Firth of Tay. Bishop Leslie, speaking of the general effort to recover the national strongholds, says: "First it was thought most necessary to assay to get Brochty Craig, because it appeared greatly to be against the estimation of the country that the Englishmen should keep a fort so far within the realm; and fra that fort were won, they deliberate to pass forward to the winning of the forts of Lauder, and others upon the borders, as they did afterward." Broughty seems to have been a very strong fortress, uniting its works with an old castle, the ruins of which remain. The Scots, as we have seen, were behind the age both in the raising and the besieging of fortified places, and in this task they had valuable aid from their gallant allies. The French commander, De Thermes, is described as making his preparations with deliberation at Dundee before besieging Broughty. When all was ready, "he laid the battery thereto upon the south-east part thereof, and cuttet away all moyens, passages, and intelligences betwixt the fort and the Castle of Broughty, so the fort could have no kind of aid or relief from the sea; and after the same was dung down with great ordnance, the assault was given thereto both with the Scots and Frenchmen the 20th day of February, where the Englishmen made resistance and defence at the first entering, but they were so courageously and stoutly assailed, and the most part of them all

whilk were within the fort were slain and the rest taken prisoners." ¹

With the assistance of the foreigners, the Scots went heartily on with the work of driving the English from the other fortresses. The war was a bitter one, for there was a long score of wrongs to be avenged, and the vengeance was in hands safe to execute it. Hardened as they were in all the ordinary horrors of mercenary war, the foreigners found in this contest features of ferocious bitterness new to them. There were stories of Englishmen cut down by the avenging Scots when in the very act of surrendering to the Frenchmen, from whom quarter might be expected. It was told how the Scots, poor as they were, would buy from the French, at ransom price, English prisoners, for the sheer enjoyment of putting them to death. The French historian of the war says that in this traffic there was no higgling or bargaining; the Scots gave freely whatever was demanded, and if they had not money for the purchase, would part with their arms or horses for the object of their desire. He mentions that he had himself bartered for a horse an English prisoner. When the Scots got him they placed him within a circle of their horsemen, who galloped up and lanced him, and then cutting him to pieces, they carried off portions of his flesh on their lance-points. ²

¹ Leslie, 231.

² Ibid. *Histoire de la Guerre d'Escoce pendant les Campagnes 1548 et 1549*, par Jean de Beaugué (Maitland Club), 103. In originally citing this work, I was not aware that it had been edited by Montalembert, with the title '*Histoire de la Guerre d'Escoce*, par Jean de Beaugué, gentilhomme François, avec un avant-propos par le Comte de Montalembert, ancien Pair de France, l'un des Quarante de l'Académie Française, 1862.' The commander of the expedition was his ancestor; and he takes occasion to comment on the entanglements in French history and genealogy from the use of territorial titles, which made a family of so many sons appear in as many different names, quoting Montaigne, who says: "C'est un villain usage et de très mauvaise conséquence en nostre France, d'appeller chacun par le nom de sa terre et seigneurie, et la chose du monde qui fait plus meler et mesconnoître les races." The carelessness of authors adding to the confusion, he finds his own ancestor as Dessé, D'Essé, Dosse, Desay, Decé, and Dose. His name, accurate and complete, was André de Montalembert, seigneur D'Essé en Angoumois, D'Espen-

The Frenchman said he could not commend these incidents of warfare ; yet he found some excuse for them in the maddening influence of the devastation that had swept Scotland.¹

The official documents of the war even breathe of its exterminating spirit. In the name of the Governor of Scotland a proclamation was issued, that every Scot taken in arms for the English enemy should be put to death forthwith ; and this was answered by a proclamation from the other side, that, so long as that order was in existence, every Scotsman whatever, taken in arms against England, should be put to death.²

The excited temper of the country, or the chronic jealousy of foreign interference, seems to have chafed the Scots even against those ancient allies who were helping them so heartily against the common enemy. Probably the French, as was their wont, took airs of superiority, and so became offensive. One contemporary Scotsman expressly says of the commander, D'Essé, that "he and his men grew insolent, and gave much offence to the country."³ The French leaders had to report to their Government a serious brawl between their troops and the citizens of Edinburgh on the 8th of October 1548. It arose from a dispute in which a Frenchman refused to deliver up a harquebuss which a Scotsman said he had bought. This brought out the citizens, and there was a street fight, in

villers en Poitou et de la Rivière en Aunis." The distinguished editor, among other courtesies to the ancient ally of France, says : "De tout temps la France avait défendu l'indépendance nationale du royaume d'Ecosse contre l'Angleterre ; elle avait trouvé chez les Ecossois des alliés aussi dévoués qu'intrépides, qui avaient versé leur sang pour elle sur tous nos champs de bataille, et qui sans cesse, en attirant ou en occupant les forces Anglaises vers le Nord, avaient diminué d'autant les dangers que notre éternelle rivale faisait planer depuis trois siècles sur la France."—*Avant-propos*, xxxi.

¹ Beaugué, 104 : "En ce cas je ne loué beaucoup les Escossois ; car je ne scay quel est celuy qui prend plaisir au dommage d'autrui. Mais je dy bien ainsi comme avec tyrannie les Anglois avoyent affligé l'Ecosse, qu'avec justice les Escossois retournoient payer leurs cruautés."

² Documents printed by Tytler, vi. Appendix v.

³ Lord Herries's Historical Memoirs, 25.

which the French soldiers seem to have been the victors, so far at least as the casualties went. They were drawn off by their commander, D'Essé, to the siege of Haddington; and the Scots authorities, who pass over the street brawl unnoticed, loudly praise the gallantry they showed there against the common enemy.¹

The work of driving the English forth was nearly completed, when Scotland was affected by the readjustment of the relations of the great powers. France stipulated that Scotland should be her ally in a treaty of peace with England. France had a strong interest to insist on this. England had now lost the great stake of war. In April 1550, therefore, Scotland was restored to her old boundaries, and to peace for a short period. So ended a bitter war of nine years' duration.

For a few years now the country was peaceful, and therefore for historical purposes nearly a blank. As a contemporary puts it, "every man addressed himself to policy, and to build, plant, and plenish" those places which, "through the troubles of the wars, by English or others, had been wasted, burnt, spoiled, or destroyed."² The period contains just one considerable national transaction, destined in the end to be far more important than it seemed at its own time. There was to be a change in the office of governor. Since 1544, indeed, Arran had held the office by a kind of sufferance. At a meeting of members of the Estates which had then been held at Stirling, he was deposed, and the queen-dowager made governor in his stead, "because the queen's grace, our sovereign lady's mother, is a noble lady of high lineage and blood

¹ The chief authority for the affair with the citizens of Edinburgh is the series of reports rendered to the French Government during D'Essé's expedition.—Teulet, i. 199, 200. It is stated, but with conditions that throw doubt on the fulness of the writer's information, that the citizens put to death the French left in Edinburgh. The story is told nearly in the same terms in a letter from Fisher to the Duke of Somerset.—Ellis, Letters, third series, iii. 292. The historian of D'Essé's expedition makes light of the affair, and says the French and Scots became good friends again.—Beaugué, 76.

² *Ibid.*, 243.

and great wisdom, and hale of life, having the King of France and the greatest nobles of that realm and others about her, tender kinsmen and friends, who will be the more ready to support this realm in defence of the same, if her grace be well favoured and honoured by the nobles thereof, and holden in honour and dignity; and also because the whole nobles have their special confidence in her grace, and do think them sure to convent in any place where her grace is present."¹

It was not admitted that this was passed at a full meeting of the Estates; and, like the affair of the English treaty, it is not among the parliamentary records. Ever since the date of the meeting, however, the queen-dowager had the virtual chief influence in the country.

She made a visit to the Court of France, passing through England with letters of safe-conduct, and landing at Dieppe in September 1550. Deputations attended her through Rouen and other towns; and there was a brilliant bustle attending on her reception as that of a great royalty, much to the disturbance of the equanimity of Sir John Masone, the English ambassador, who strove without entire success to account for the importance attached to her advent by the French Court. To account for her visit there was a simple motive at hand—she went to see her daughter. The ambassador could have little doubt, however, that she improved the occasion in family consultations about the best means of obtaining the regency of Scotland, and other matters connected with the new relations of the two countries, and the momentous interests depending on them. Leslie, Bishop of Ross, was Scots ambassador in Paris, and therefore knew more of what she was about than any other historian of the period. He tells how she got the King of France to suggest to himself, and to two other Scotsmen then at the French Court on business, that Arran should be induced quietly to give his assent and aid to the transference of the regency. With confiding liberality the King of France gave him the reward of the concession before it was even promised; and he was

¹ State Papers (Henry VIII.), v. 392.

invested with the duchy of Chatelherault, with "the town and palace thereof."¹

It is easy to see how the presence in France of the mother of the young Queen Mary and the sister of the great Guises should be a matter of political importance. It is not so easy to account for the fact that, as she returned through England, the Court of the young King Edward went out of the usual course to do her honour, so that she was passed through to Scotland in solemn procession by the local magnates.²

Explanations as to the object of this hospitality have a transparent simplicity that makes it difficult to believe them. The Bishop of Ross tells how "King Edward came to the Whitehall for entertainment of the queen-dowager, where great banqueting and honourable pastime was made; and all the antiquities, monuments, and principal jewels of the realm were shown to her; and then was proponed to her, in most effectuous manner, by King Edward, to persuade the King of France to leave the marriage of the Queen of Scotland, and to agree that he might marry her according to the first appointment made by the Governor and Estates of Scotland to that effect, whilk he affirmed was most meet for the government of both the realms, stanching of blood, and for perpetual quietness in times coming."³

The transference of the regency still required very delicate handling. That the affair had been adjusted in France would have been a fatal obstacle to its adoption by the Estates, and it would be dangerous to let it be seen that the duchy of Chatelherault was the price or retainer given for the transference. So far as personal claims went, little was to be feared from the facile Arran himself—the great difficulty was his ambitious strong-headed brother the archbishop. He had been very ill—at death's door—and this brought hope to the schemers; but he recovered, and

¹ Leslie, 238.

² See, in the Preface to Turnbull's Calendar of Foreign State Papers, reference to the documents describing her sojourn both in France and England.

³ Leslie, 240.

became as troublesome as ever. It would appear that in the end his pertinacity served his opponents, and that his facile brother was glad to be free of his tormentors on either side. The Acts of the Estates, or other political documents in which the revolution was set forth, have not been preserved. It is in acts of indemnity in Arran's favour, exempting him and his house from all responsibility for things done during his regency, that we find the transfer completed, and Mary of Guise established as regent in 1554.¹

¹ Act Parl, ii. 601. See in Leslie, 249, an account of the meeting of the Estates on 12th April 1554.

CHAPTER XXXVII.

THE REFORMATION.

GOVERNMENT OF MARY OF LORRAINE—HER INABILITY TO UNDERSTAND THE CONSTITUTION OF SCOTLAND—FRENCH PRACTICES—FRENCHMEN PROMOTED TO HIGH OFFICES—ATTEMPT TO PUT THE FORTRESSES IN THEIR HANDS—PROPOSAL OF A STANDING ARMY, AND ITS RECEPTION—QUEEN MARY'S MARRIAGE TO THE DAUPHIN—HIS ACCESSION TO THE CROWN OF FRANCE—THE COUNTRY ALARMED BY PROJECTS OF ANNEXATION TO THE CROWN OF FRANCE—RISE OF SUSPICION AND DISLIKE OF FRANCE AND THE FRENCH ALLIANCE—THE ALIEN CHARACTER OF THE CHURCH IN SCOTLAND—HOW FAR THE DOCTRINES OF THE REFORMERS WERE SPREADING—MORE BURNINGS—THE SECRECY OF THE ECCLESIASTICAL PROCEDURE AGAINST HERETICS—THE REASONS FOR THE SECRECY—SECULAR CAUSES OF ENMITY TO THE CHURCH—WEALTH AND LUXURIOUSNESS OF THE CHURCHMEN—THEIR MORAL CONDITION—THEIR TEMPORAL POWER AS ADMINISTRATORS OF THE LAW—DEMORALISING INFLUENCE OF THEIR AUTHORITY IN MARRIAGE AND SUCCESSION—THE POWER OF EXCOMMUNICATION OR CURSING—ITS USE FOR LEVYING DEBTS AND FOR ACTS OF PERSONAL OPPRESSION—SPECIMEN OF A CURSING—THE CHURCH CONSCIOUS OF ITS OWN DEFECTS—INTERNAL EFFORTS AT REFORMATION—REFORMING COUNCILS—LITERATURE OF THE CHURCH—MIRACLES—NEW LITERATURE—ARCHBISHOP HAMILTON'S CATECHISM—THE TWOPENNY FAITH.

MARY of Lorraine, the queen-mother, when in 1554 she entered on her acknowledged power as regent, had been sixteen years in Scotland. In these years, however, she had not sufficiently read the character of the people as to be able to avoid cause of mortal offence. She might have seen how the interference of England was detested, and thus have judged that, if France interfered in Scotland, the old ally would get no better toleration than the old enemy. It was to be in the destiny of events that France was to

interfere, and in a vital and unpardonable shape. But even before such projects were ripened, the queen-regent, as if she had intended to awaken all suspicions, tampered where she might easily have let alone. The Scots could never be brought to tolerate foreigners, English or Continental, in political offices of trust or power. We have seen how poor De la Bastie's elevation ended. There was the unpopular history of the other French friends of Albany, and their holding of Dumbarton Castle—national offences to the country, only mitigated by the preponderance of the offences committed by England. There never appears a foreigner on the lists of the holders of high political office in Scotland down to this time; and that there were few foreigners promoted in the Church, we may gather from the notoriety surrounding one instance in which a foreigner got promotion. His name was Damien. He was made Abbot of Tongueland; and because he, a Frenchman, obtained this Scots benefice, he was the object of the satirical lash of the poet Dunbar.

The office of chancellor was held by the Earl of Huntly, perhaps the greatest territorial lord of the day. A deputy or vice-chancellor was appointed, who did the work of the office and held the power, and the person so appointed was a Frenchman named De Roubay. For some cause not fully cleared up, and only known to be connected with his intervention in Highland quarrels, Huntly came under the letter of the treason law, and had to compound with the crown by a money payment. His humiliation was doubly coupled with favour to Frenchmen. He held a lucrative office, connected apparently with the collection of the revenue in Orkney, whence he is called Governor of Orkney. This office, whatever may have been its exact name, was given to a Frenchman, M. Boutot. On the list of comptrollers of the exchequer, too, there appears the name of the famous De Roubay, and, as his successor, Bartholomew Villemore. Another Frenchman, D'Oysel, though not endowed with office, was supposed to have such influence in the counsels of the regent as none but a native Scot ought to exercise.

The regent remembered how convenient it was to France

to hold a real position in the soil of Scotland, by having Dunbar Castle garrisoned and governed by Frenchmen. She would have done well, too, to remember how offensive that was to the people, and how it imperilled the French alliance. At Eyemouth, to the south of Dunbar, a fort was built on the new method of fortification adopted abroad—a step towards the Vauban type of fortresses. It was garrisoned by French troops. She pondered how she might, one by one, pick the strongholds of the great barons out of their hands and make them royal fortresses. Of these, old Angus's Castle of Tantallon was the most tempting; and she began to ply its owner with hints, which drew from him, according to tradition, a celebrated answer, marked by his own peculiar cast of grim derision. Yes, his castle and all he had were at her grace's command; but before God he vowed that he must himself be the governor, for no other person could hold it so well.

The Scots monarchs had not only no standing army, but they had scarcely a guard for the protection of the royal person and residence. When Henry VIII. supplied his sister with money to support two hundred men for her son's protection, it was a material boon, though one dangerous for the Government to accept, as it was suspiciously eyed by the country. The only force the monarch could bring into the field was the feudal array, and it was a self-willed force, given to stand upon limitations and privileges, as we have often seen. The queen-regent saw a different sight when she visited the French Court. It had long been surrounded by troops of armed protectors, conspicuous and supreme among whom was that picked body of men, the Scots Guard. Beyond these, too, the monarch had a considerable standing army, supported by taxes and feudal dues. The queen-regent thought it would be an improvement on the institutions of Scotland to have a standing army, so that the Government might no longer be left in absolute dependence on that capricious institution, the feudal array. It was represented that the nation would thus be greatly strengthened against their old enemies of England. A force might be always kept on the border, so as to save the country from the sudden sur-

prises and raids from which it had suffered so vitally for several generations. The project required a new tax. An act for raising it passed the Lords of the Articles. It authorised a minute inquiry into the possessions of every subject—lord, landowner, farmer, merchant, and craftsman. The “inquisition” was to be made by a parochial organisation under the sheriff of each county; and the whole arrangements are so stringent that the act might be supposed to have been prepared by some one anxious to make it seem as offensive as he could.¹

By a contemporary noticer of events we are told that discontent at this project broke out through the country in many “privy assemblies and conventions.” These tokens of discontent concentrated themselves into a meeting in the Abbey of Holyrood, where some three hundred of the principal territorial magnates assembled. They sent a deputation to the regent and her Council, “desiring most humbly not to alter the ancient custom, laws, and liberty of the realm, in putting them to such charges of payment, and sums of money, affirming that their forefathers and predecessors had defended the same many hundred years valiantly with their own hands.” They maintained that the present inhabitants of the realm were “of as good courage and hardiment, able and valiant to defend their realm, as others their forebears have been in times past; and therefor would fecht with their own hands, and defend the same with their bodies, for they could not trust any waged man that he wad so faithfully defend their liberty, wives, bairns, lands, and possessions.” They held next that there was not such “substance” in the country, “as to sustain so many idle men as were necessary for the defence of the borders,” meaning that a force was idle when not actually fighting or employed against an enemy. But they had a conclusive reason for protesting—trusting to mercenaries, the country would lose its old strength. As it is put by Leslie, “that the same should cause the lords, barons, gentlemen, fall into sic idleness and unskilfulness through lack of use of bearing and exercising their

¹ Act. Parl., ii. 604 .

armour, that they should become an easy prey to whatsoever nation that would invade the realm." In this protestation there stands a curious little constitutional definition. It is noted that the monarch is not king or queen of Scotland, but of the Scots. "In that respect the king has been called at all times King of Scots—that is, rather in respect of men, nor of money and substance of the country."¹ The obnoxious tax and its occasion—the standing army—were together abandoned. Since she could not get an army at the absolute disposal of the crown, the regent endeavoured to get the feudal force committed to the policy of France by an invasion of England. As their old troubles on the borders were breaking out, and there was possible danger from England, an army assembled for the defence of Scotland, but its leaders refused to invade England.

Thus there were symptoms of variance between the queen-dowager, as a sort of representative of French interests and principles, on the one hand, and the Scots people on the other. Some great events, however, came to pass, which seemed to remove all discordant influences and bring the two nations into closer union than ever. In the winter of 1557, the Estates were reminded by the King of France that the proper time had come for completing the promised marriage between his son and the Queen of Scots. A commission was appointed to go to France and represent Scotland on the occasion. It consisted of six persons, among whom was Beaton, the Archbishop of Glasgow. There were two others, whose appointment to such a purpose was significant—James Stewart, Prior of St Andrews, the queen's illegitimate brother, and Erskine, the Laird of Dun; these, as we shall presently see, became the leaders of the Reformation party.

The marriage was celebrated with due splendour on the 24th of April 1558. Stipulations, in all forms deemed necessary for the purpose, were made for the maintenance of the Scots nationality and the independent privileges of

¹ History, Scots version, 255.

the people. If there were a son of the marriage, he was to succeed to both thrones; if there were but daughters—excluded from the French succession—the eldest was to reign in Scotland: such were the public and ostensible conditions of the marriage. There is little doubt, however, of the fact that, some days before the ceremony, Queen Mary signed three papers, the object and intent of which was to convey her kingdom, as if it were her private property, to the house of Valois. The documents were drawn on the principle so common in all attempts to dispose of governments on parchment. One of them contained the conveyance; another, in case this should be inefficient, pledged the country for a million of gold pieces, or any other sum that might be claimed as due by the queen for her entertainment in France; the third nullified any deeds signed by her, under the instructions of her Parliament, of a tenor inconsistent with those now executed: so was one worthless document to prop up another. It is not clear whether these documents were procured merely by the private dealing of her uncles the Guises, or were sanctioned by the King of France himself or by his other advisers.

It was agreed that the Dauphin should have the distinction, as it was termed, of being called King of Scots. The Scots commissioners were required to send for "the honours of Scotland," as they were called—the crown, the sceptre, and the other decorations which had been used in the coronation of a king of Scots. The commissioners would do nothing to commit themselves to compliance with this request. Had they represented, however urgently, the propriety of sending these precious articles to France, the Estates certainly would not have permitted them to leave the country. The demanding of them was eminently suspicious. It betokened that the house of Valois wanted to have something more than the nominal or honorary title of king for the Dauphin; and if the honours once left the country, it was very unlikely that they would ever be brought back.

A mysterious calamity gave a sinister meaning to the rumours about this and some other matters, calculated to

raise suspicion among the Scots. When the six commissioners reached Dieppe on their way home, three of them—the Lords Rothes and Cassilis, and Reid, Bishop of Orkney—sickened and died suddenly. It was held that things had been said to these men in France which it was very undesirable that they should repeat in Scotland, and so they were poisoned out of the way. At that time, in France, such an act was quite within the bounds of likelihood; and instead of rejecting the suspicion as ungenerous, one is inclined to be surprised that it was not pressed more strongly, and that no investigations or explanations were demanded regarding the cause of so remarkable a fatality.

The surviving commissioners, on reporting the completion of their important business to the Estates, which met in November, tendered to them a request, in the name of the queen, which was and has continued to be a cause of much discussion. It was, that the Crown Matrimonial might be conferred on her husband. This involved an actual ceremony of coronation, with a crown made for the purpose, and sent over in charge of a special embassy. The commissioners, in putting the request to the Estates, said that it was to be “by way of gratification during the marriage, without any manner of prejudice to her highness’s self, the succession of her body, or lawful succession of her blood whatsoever;” and it was authorised by the Estates, with this limitation, and a declaration that the distinction was to last “during the marriage allenarly.”¹

It was said, however, that there was a deep meaning in this device. It came from the Guises, and it was believed that they were prepared to interpret its true meaning from certain precedents, when the right time came. The meaning of the term was much pondered on the occasion of Queen Mary’s second marriage, and it was believed that it meant a complete partnership in the crown; so that, in default of children, it would go to the survivor and the survivor’s heirs. On that principle, if Queen Mary

¹ Act Parl., ii. 506.

died childless before the Dauphin, the crown of Scotland was transferred to the house of Valois.¹

Among these Scots who still held by the French alliance, throughout France, and over great part of Europe, the marriage was hailed as an event full of splendid promises for the future. It was celebrated in verse and prose by countless pens, conspicuous among whom was the greatest Latin poet of the day, Buchanan, and the French chancellor, L'Hôpital, whose literary genius would have been more renowned had it not been overshadowed by his more illustrious fame as a jurist, who, in the comprehensiveness of his survey and his accurate sense of true justice, was centuries beyond his age.²

Within a few months the greatness that was in store for Scotland seemed to be perfected. In a tournament with the Sieur de Montgomery, Henry II. of France got a wound in the face which proved mortal, and he died on the 10th of July 1559, making Catherine of Medici a

¹ Some hints dropped by the Cardinal of Lorraine are thus noted : "Monsieur le Cardinal me respondit, selon que jà il m'en avoit fait le discours une fois au commencement de mars passé, que les commis d'Escosse au fait dudict mariaige, entre lesquels estoit le duc de Chastellerault, père du conte d'Haran, firent instance au feu roy Henry que le royaume d'Escosse, dès lors pour tousjours, fut adjoinct à celluy de France, y eust enfans dudict mariaige ou non, et que la couronne d'Escosse fut incontinent transportée à St Denys, afin que, couronnant le Roy de celle de France, il fût aussi couronné de celle d'Escosse, et vouloient que les escussions de France fussent escartelez de France et Escosse."—4th May 1560, M. de Chantonay; Teulet, i. 536.

² As being less known, at least in this country, than Buchanan's Epithalamium, I take from L'Hôpital the following laudatory reference to the services of the Scots in France :—

"Parvum (inquis) parvum fateor, componimus illud
Si nostro. Sed cujus opem sensitque paratum
Non semel auxilium labefactis Gallia rebus,
Cum bellum gererent nostris in finibus Angli,
Desertam illorum patriam simul agmine facto
Scotti incursabant. Metus hic sua protinus illos
Respicere, et nostris cogebat cedere terra.
Quinetiam Tellus his tam fecunda virorum,
Tamque ardens animus bellicque incensus amore.
Ut cum alius premeret vicinum exercitus hostem
Suppetias alius nobis laturus eodem
Tempore, cœrulei transmitteret aquora ponti."

—Hœpitalii Epistol., lib. iv.

widow, and the young beauty whom she hated Queen of France. Yet were there already symptoms that all this grandeur was not to be to the profit of Scotland. The tone held by the Court of France towards Scotland had changed, becoming patronising, if not domineering. Complete rights of citizenship were exchanged between the two countries; but even in the Lettres de Grande Naturalisation, in which the Scots were in all courtesy received as citizens of France, there was perceptible a tone of superiority and condescension—as where the citizenship of France is compared with that of Rome, sought after by all nations, and the presence of King David at the battle of Poitiers is spoken of as one might praise the conduct of a faithful dependant.¹ It was known that the govern-

¹ Lettres de Grande Naturalisation accordées par Henri II. aux Ecossois, a l'occasion du Mariage de Marie Stuart avec le Dauphin; Teulet, Pièces, i. 303. The letters have all that prolixity for which the French offices of the crown were remarkable, though other government offices kept up with them as well as they could in tediousness of detail. The letters were registered by the Parliament of Paris, with the commentary referred to in the text. The *préhis* of the substance of the letters is commendable: "Veult et statue que les Escossois puissent tenir offices et bénéfices en ce royaume, y puissent acquérir biens, disposer d'iceulx et les transmettre à leur postérité, ainsy que s'ils estoient originaires, nez natifs et habitans perpétuels de ce royaume, sans pour ce obtenir lettres de naturalité, payer finance ny estre subjectz à aultre particulière dispense."—P. 307.

After recording this neat abstract of the letters, the Parliament compares them with the early Roman extension of citizenship, and does so with a distinct hint that, as the Romans were in early times parsimonious in conferring such distinguished boons, they ought not to be lavishly bestowed by the great monarchy of France. In this the draftsmen of the Parliament are not so concise as in their abridgement of the royal letters. They begin thus: "Ces lettres sont pleines de tesmoignages de la grandeur de ceste monarchie de France *a qua jus civium postulatur, sicut antiquitus a populo Romano jura Quiritium, jus Latii veteris, jus Latinitatis, jus Italicum, jus civitatis peti solebat et magni beneficii loco concedi.* De ce furent du commencement fort espargnans les anciens Romains, tellement que *non nisi auctoritate senatus et rogatione populi tale jus donabatur,*" &c. It is observable that the royal letters, in all their pomposity, give courtesy to Scotland, as a country whose sovereign belongs to the royal house of France; but the Parliament's registration interprets them as a gracious concession to a community favoured at court.—Vérification par le Parle-

ment of Scotland was discussed in French councils as if it were a French affair, and it was even officially suggested that this part of the King of France's dominions might make a suitable appanage for a second son of the house of Valois. The Lords of the Congregation in Scotland were not far in the wrong when they complained that projects were afoot for converting Scotland into a province of France.¹

Without any absolute public acts tending to annexation or domination, many incidents gradually dropped into the minds of the Scots the impression that the independence of the country was endangered by France; and such impressions were strengthened by the conduct of the regent and her friends. The quartering of arms, for instance, which we shall find offensive to England, had something to awaken the suspicions of the Scots, who asserted that the manner of the quartering rather represented the annexation to the crown of the province of Scotland, than the personal union between the house of Valois and the house of Stewart; and whatever offence might thus be given was not in the mere pedantic manipulation of the heralds, but was matter of state policy.² In recent times, too, documents have turned up, which, had they been known to the Scots statesmen of the time, might well have fed their suspicions. One of these is a state paper, by the Parliament of Paris, on the government of Scotland in 1552, while yet Queen Mary was in her tenth year.³ It has all the external character of a piece of puerile pedan-

ment de Paris des Lettres Patentes du Mois de Juin en faveur des Ecossois, 307.

¹ In a letter of M. de Chantonay to the Bishop of Arras, dated 4th May 1560 (Teulet, i. 536), there are remarks which may interest heraldic students on the question whether, after all, the quartering of Scotland with France as a united kingdom is the correct one, and hinting a preference for something that would show more distinctly how Scotland is at the disposal of the house of Valois. As King Henry put it, "Que ledict royaume demeura à la disposition du Roy son filz et de sa femme pour en faire le partage d'ung second filz."

² See above note.

³ Déclaration du Parlement de Paris sur le Gouvernement de l'Ecosse; Teulet, Pièces et Documents, i. 261.

try, the fruit of the propensity of the civilians to draw subtle distinctions and adjust theoretical difficulties. The question is, whether Queen Mary, when she was eleven years old, had reached the age of puberty. At that period of life, by the civil law, young persons took a step towards self-government, by the choice of curators, who were to supersede those tutors who, appointed in infancy, were not of their own selection. The age of male puberty was fourteen; of female, twelve. The question here was, whether, in the case of sovereigns, it came at the beginning, instead of waiting till the completion of the year, so as to entitle Queen Mary to choose her curators when she had completed her eleventh year. There is no reference in the document to the peculiar government of Scotland, or to the all-powerful Estates. Precedents are called up from French history, as if the matter concerned Touraine, Aquitaine, or any other province of France.¹ So little does the document carry the tenor of a practical policy, that it is difficult to realise the natural supposition, that

¹ "A sçavoir que, pour la puberté des rois de France, pour les couronner et administrer, l'on n'a point attendu que les xiv ans soient completz, combien que, en tutelles privées, la perfection soit requise, car les rois ne sont contreins à la loy positive ;

"Mais, pour le bien des royaumes, avant les xiv ans accomplis ont esté couronnés et ont administré le royaume. Charlemagne, vivant le roy Pépin, fut couronné roi ; et après fist couronner Louis dit le Débonnaire son filz, en berceau, qu'il fist porter en litière jusques à Rome où il fut couronné. Charles, dit le Simple, avant les xiv ans, administra ; le roy Robert filz de Hue Capet, le roy Philippes I^{er} de ce nom, le roy Louis dit le Gros, le roy Philippes-Auguste, avant les xiv ans administra, le roy saint Louis avant ledict temps.

"Le roy Charles V. ordonna que Charles VI. son filz auroit gouverneurs jusques à ce qu'il eust xiv ans accomplis ; toutefois, après son trespas, et après plusieurs remonstrances faictes par un advocat du roy en Parlement, nommé Desmarets, fut conclu par le trois Estats du royaume qu'il seroit couronné avant ledict temps et que le royaume seroit administré souz son nom, et receveroit en sa personne les hommages des vassaux.

"Le semblable fut conclu par le roy Charles VIII. ; et encor, du temps du feu Roy, fut faict ordonnance, luy estant en Espagne, que Monseigneur le Dauphin son filz, non ayant encore xiv ans, seroit couronné roy de France, vivant son père, qui fut vérifiée en la cour du Parlement."—Teulet, i. 263, 264.

the discussion must have arisen in the contemplation of a plan for governing Scotland by curators appointed in Paris by the young queen.

Let us now turn to other events as momentous as these, with which they will be found ultimately combining in the development of great historical conclusions. On the 17th of November 1558, the death of Mary, the Popish Queen of England, opened the succession there to her sister Elizabeth. By the same event, Philip of Spain ceased to be King of England. The effects that were to come of this change were not immediately visible. Philip was dreaming of, and aiming at, universal dominion—the restoration of the old Roman Empire over the world, to act in unity with the spiritual empire of the Popedom. The loss of his hold on England might, to a less sanguine and trusting aspirant, have seemed to weaken his chances of success; for, while he was the husband of Queen Mary, he supposed himself to be absolute master of that kingdom, and believed that, next to his own peninsula, it was the most devoted among the European powers to the support of the Popedom in all its spiritual supremacy. In this dutiful course, he had no doubt England would continue gratefully accepting of his guidance. He was hard of belief when rumours reached him of the heretical propensities of the young queen. It was for his consideration whether he ought, for the sake of the good cause, to marry Queen Elizabeth. Looking to the object of such a union, the Pope would not, of course, hesitate to give a dispensation. Influenced by such ideas, he continued to dictate and advise about the conducting of the English Government much as he used to do when he styled himself King of England.

When Elizabeth's heresy was put beyond question, consolation came from another quarter;—she was not the rightful heiress to the English throne. A king of Spain should be the last man to overlook what led to that conclusion. Her father's marriage to his own collateral ancestress, Catherine, was not legally dissolved when Elizabeth was born; and Mary of Scotland, the Dauphiness of France, was the rightful Queen of England. As Europe

stood at that time, the assertion of this right was a very formidable thing for Elizabeth and her advisers to look at. The title of Queen of England was taken by the Court of France for Queen Mary in a quiet, off-hand way, that was almost more provoking than a loud proclamation, because it was not so easily answered. The arms of France and Scotland were quartered with those of England, and the English ambassador in France complained that the offence was thrust under his very eyes and nostrils, for the quartered coat was emblazoned on the dishes set before him at royal entertainments. A claim that might bring Spain, France, and Scotland all at once down on England was truly formidable; and there was a great Romish party in England, whose consciences would compel them to co-operate with invaders coming under the banner of the Pope.

The great chance of safety was to detach Scotland from such a combination. It was known that the country was not keen for Romanism, since subjects of England, during the late persecuting reign, had found refuge there. This was a good sign, and Elizabeth's great adviser, Cecil, resolved to make of it what he could; for never had an alliance with France been more imminently sought for the safety of Scotland than an alliance with Scotland now was for the safety of England. The negotiations for the great European treaty of Château Cambresis were hastening to an end; they were finished on the 2d of April 1559. There were two things for which England fought hard in that diplomatic discussion: the restoration of Calais—which had just been taken from England by the Duke of Guise, Queen Mary's uncle—and a peace with Scotland. In the matter of Calais, some arguments were used on the part of France which cut far deeper than the question at issue. Suppose that France were in any way bound to make the restoration, to whom was it to be made? If rendered up to the person who now called herself Queen of England, the duty would not be discharged; for what if the rightful heiress, their own Dauphin's wife, were to claim it as hers? Calais had to be abandoned in the mean time, if the other alternative were to be pushed;

and the English representative at the conference got instructions, if necessary—but only if it were so found at the last moment—to give up every other claim, provided Scotland should be included in the peace. This was done; but it was a step only to the end. The sensitiveness of the Scots had, on other occasions, made them restive when France professed to treat for them. France, on the face of the transaction, and in form, got the peace extended to Scotland, her ally; but Cecil laboured at the same time, and under great difficulties, to contract a separate alliance with Scotland.

These affairs brought a political crisis to Scotland. We have seen how, in 1543, there was a like critical period in the nation's destiny. Sixteen years had passed the boys of that day into manhood, and many other things had occurred to change the tenor of the opinions and predilections of the people. It is at this juncture that we must count the Reformation as a power in the state. As in almost all other nations, so in Scotland, its operations were fashioned, not according to the quiet course of internal changes in the religious opinions of one after another of the people, but by conjunction with great external political movements. There has been a natural enough disinclination to see this; and the tenor of history has been swayed at least, if not absolutely perverted, by a tendency to trace to the impulse of religious zeal events and acts produced by influences of a more secular character.¹

¹ Our confidence in the absolute soundness of our own religious persuasions, deceives us into a reliance on any histories which show our special creed advancing and prevailing through the force of absolute conclusiveness and truth. When we boast of the power of resistance to the invasion of other faiths, we are more likely to be accurate. Converts crossing the great gulfs—such as that between Popery and Protestantism—are very rare in quiet times. They are apt to make a noise, and produce on the timid the effect of numbers, usually creating among the old steady members of the creed they join even more alarm than they have left among the faithful whom they have deserted; for they are restless creatures—they are on the move, and though they may have reached the ultimate temple in the line of their changes, and can go no further, they are apt to move about very

A period of many years had now passed over, in which there had been at intervals several persons put to death for what the Church counted heresy. We must not suppose that in their own day these victims were treated as illustrious martyrs. For that crown their memory had to wait until Protestantism became triumphant. The executions were disagreeable affairs connected with church matters, and the laity in general kept as well aloof from them as they could. Even the death of Wishart, with its picturesquely tragical retribution, was an isolated matter. The party in favour of the French alliance—or, it would be more explicit to say, the party determined to resist English domination—swept all before them, and the affair had really very little visible influence. In 1550 there was another victim of the fire, named and described by Knox as “Adam Wallace, *alias* Fian, a simple man, without great learning, but one that was zealous in godliness, and of an upright life.”¹ In 1558 Walter Mill was

restlessly and troublesomely to their new neighbours, in that abode which they have chosen as the only refuge from doubts and difficulties. Thus individual conversions make a noise; but at any time the number of persons who have changed faith through calm conviction is very small. Such a process has contributed very little to the distribution of the religious persuasions among the European nations. The Romish and the Protestant communities stand as they were left by the great struggle of the sixteenth century as modified in some measure by the Thirty Years' War. There are millions of tolerably accurate practisers of the requirements of the Church of Rome who would have been good Protestants had they been born and brought up in the Protestant communities; just as, on the other hand, there are millions of sound Protestants who would have been faithful observers of the Romish formularies had they been born and brought up in any of the states which held by the old Church. The boundaries of the Romish and Protestant states have not varied to any perceptible effect for two hundred years; some of them are as they were three hundred years ago. The Netherlands are Romish up to the boundary where Spain held dominion over them—Protestant beyond. The old decayed city of Nuremberg early put in its lot with the Reformation; and the city of Nuremberg is Protestant, though surrounded by communities which still hold by the old Church.

¹ History, i. 237. We shall presently have to look at some of the reasons why prosecutions for heresy have left no vestiges on record. There is none in the case of Wallace, and yet his examination and condemnation are narrated by Foxe at great length. His account,

burned in St Andrews. His fate created more real excitement than all the others that had gone before. He was a man past eighty years of age, a quiet country priest, of blameless life. Incidents were told about his burning

taken from the rare original edition of his book, is appropriately printed in the appendix to Laing's edition of 'Knox's History' (i. 544). It begins,—“There was set upon a scaffold made near to the Chancellory wall of the Blackfriars Church in Edinburgh, on seats made thereupon, the lord governor. Above him, at his back, sat Mr Gavin Hamilton, Dean of Glasgow, representing the metropolitan pastor. Upon a seat at his right hand sat the Archbishop of St Andrews.”

Then follows a list of dignitaries, lay and clerical, and “at the farther end of the Chancellory wall, in the pulpit, was placed Mr John Lauder, parson of Marbottle, accuser, clad in a surplice and a red hood, and a great congregation of the whole people in the body of the church standing on the ground.”

Then follows a long, excited discussion, in which the poor man is, to use a sporting expression, baited by one after another of the magnates on propositions of the most stirring tenor, as—

“The Bishop of Orkney asked him, ‘Believest thou not,’ said he, ‘that the bread and wine in the sacrament of the altar after the words of the consecration is the very body of God, flesh, body, and bone?’”

“Then was he bidden to hear the accuser, who propounded the second article, and said, ‘Thou saidest likewise, and openly biddest teach, that the mass is very idolatry and abominable in the sight of God.’”

“Then said the accuser, ‘Thou hast said and openly taught that the God which we worship is but bread sown of corn growing of the earth, baked of men’s hands, and nothing else.’”

Here we have something as opposite as it can be to the secret inquest as to heretical doctrines. There is a grand pageant, a multitudinous assembly in the midst of a great city, and all engaged in the discussion of those vital questions in which the interests of mankind are the deepest, and their passions the fiercest. And yet there is a mystery in this, too. How came it to be told by a stranger and not by the native annalists? Foxe says he got the account from Scotland “*ex testimoniis et literis a Scotia petitis, an. 1550.*” Indeed it is evident that a Scots hand has been at work on every one of the Scots martyrdoms in the collection. There is a complete accuracy of detail down to the most occult technicalities; and any one who studies such matters, knows that to an Englishman of that day such a feat would have been so difficult as to be virtually impossible. Had the whole been skilfully forged by adepts, it could not have been better done. We know, however, that all the condemnations and burnings in Scotland commemorated by Foxe did occur, along with many others—the mystery extends only to the manner.

which showed that such scenes were becoming odious. There was difficulty, it was said, in getting the necessary intervention of the civil power, and in securing persons to undertake the executioner's work.¹ It was further said that the people piled stones to make a cairn on the place where he suffered, and ever as they were removed they were replaced. This execution was at St Andrews, and it recalled the death of Wishart there thirteen years earlier, with its wonderful retribution. A horror of such events was creeping into the people's minds. The like had not been known in Scotland in days of old. To the clergy, they were deeds of duty and humanity. What was the extinction of a life or two to the spread of heresy, which would ruin millions of souls? And as to the victims themselves, their torture in this world was short, and would expiate for them an infinitely greater amount of torture in the next. In such views the lay population could not sympathise.

As we have now seen the end of the burnings for heresy, and reached a period when the business of the civil and criminal courts has come down to us in systematic records, it may be appropriate to look briefly at the character and causes of the mystery that covers the deadly action of the ecclesiastical tribunals.²

¹ Foxe's account is: "Sir Andrew Oliphant pronounced sentence against him, that he should be delivered to the temporal judge to be punished as a heretic, which was to be burnt. Notwithstanding, his boldness and constancy moved so the hearts of many, that the bishop's steward of his regality, provost of the town, called Patric Learmond, refused to be his temporal judge, to whom it appertained, if the cause had been just. Also the bishop's chamberlain, being therewith charged, would in no wise take upon him so ungodly an office. Yea, the whole town was so offended with his unjust condemnation, that the bishop's servants could not get for their money so much as cord to ty him to the stake, or a tar barrel to burn him, but were constrained to cut the cords of their master's own pavilion to serve their turn.

"Nevertheless, one servant of the bishop's, more ignorant and cruel than the rest, called Alexander Somervail, enterposing the office of a temporal judge in that part, conveyed him to the fire."—*Acts and Monuments*, ii. 626.

² The efforts made by Mr Pitcairn (*Crim. Tr.*, i. 209), under the

A reasoner from general induction would expect to find the records of ecclesiastical procedure ample and explicit, even if those of the secular courts were meagre and imperfect. Every religious house and prelacy had a staff of clerks who had only difficulty in finding work enough. An established institution of the monastery was a *scriptorium*, where the scholar copied the classics and the aspirant to literature wrote the history of the house he was attached to, or of Scotland, or of the world at large. The work done in the *scriptorium* has left abundant records scientifically prepared and beautifully penned. They not only contain the ecclesiastical business of the body that owned them, but a full succession of the title-deeds to their great estates, their contests with each other and with the secular powers, and sometimes the proceedings of the civil and criminal courts for giving effect to their feudal jurisdiction. But on those terrible inquests of heresy that were followed by condemnation to death, they are dumb. Though not obviously to be anticipated, this silence can be explained. If, granting heresy to be a crime, we examine the available machinery for suppressing it, we shall find a reason why it must materially differ from the ordinary administration of the criminal laws. These are made for the suppression of the crimes themselves, not of all knowledge of the existence and nature of the crimes. On the contrary, philosophers of jurisprudence maintain that a knowledge of every act that is condemned as criminal should be as widely taught as possible, in order that people may know what they ought to avoid if they would escape punishment. But in dealing with the "crime" of heresy, the object has

title 'Commencement of the Reformation of Religion in Scotland; Heresy, Using Heretical Books, &c.,' realises this peculiarity. In some instances, where the offence was against some civil or municipal law suppressive of Reformation—as preaching to tumultuary assemblies, selling prohibited books, and the like—there is a justiciary record. But what took place within the conclave of priests whose condemnation was followed by death is a blank. Accounts of these examinations are indeed supplied, but they are not from record, but from the histories of Knox, Calderwood, and Foze, and the passage cited above is a specimen of their character. It may be noted, too, that in Howell's State Trials, the great cases of Wickliffe, Sautre, Thorpe and Badby are supplied from Foze's Acts and Monuments.

been to hide the fact that it has been spoken, or has even entered into men's thoughts. The heretic is the servant of Satan, speaking as he dictates, and his words must be stifled in fire. To publish them to the world is to help Satan in his work, and if anything to their purport be committed to writing, care must be taken that it never shall see the light. No doubt, in England especially, the doctrines of the earlier reformers came plentifully forth, but that was in defiance of the efforts for their suppression.¹

The accused was cross-questioned with such minuteness and perseverance and such skill and subtlety as were available. Witnesses were sought out and brought up for examination secretly and separately. They saw nothing of each other or of the accused unless identification were necessary. The demeanour and expression of these witnesses were carefully watched, that if they themselves were infected with the poison, its presence might be detected by tokens of sympathy with the accused or hostility to the inquisitors.² In one memorable instance, a

¹ The most ample account of an inquest for heresy is that of William Thorpe, who thus describes the precautions for privacy: "Known be it to all men that read or hear this writing beneath, that on the Sunday next after the Feast of St Peter, that we call Lammas, in the year of our Lord 1407, I, William Thorpe, being in prison in the Castle of Salswood, was brought before Thomas Arundell, Archbishop of Canterbury, and Chancellor, then, of England; and when that I came to him, he stood in a great chamber and much people about him; and when that he saw me, he went first into a closet, bidding all secular men that followed him to go forth from him soon, so that no man was left there in that closet but the archbishop himself, and a physician that was called Malvern, the parson of St Dunstan's in London, and other two parsons unknown to me, which were ministers of the law."—Foze, i. 689.

² Of five methods of detecting "*Hereticorum Fautores*," the fourth is, "*Quicumque amarum vultum habent, ad illos qui persequuntur hereticos vel predicant contra hereses efficaciter, sicut potest tunc in oculis et nasu et aspectu talium notare, qui velit advertere.*"—*Tractatus de Hæresi Pauperum de Lugduno*; Martene et Durand *Thesaurus Anecdotorum*, v. 1786. It is difficult to find admissions of this kind. The secrecy and silence of the proceedings themselves seem to extend to all rules or instructions for conducting them. Abundant to superfluity as the literature of the canon law is, it will be hard to find in it much light on this point. The nearest thing to a form of process for the trial of heretics that I happen to be aware of is in the curious collection from which this extract is made, and is called '*Doctrina de*

process of inquest for heresy was exposed to the eyes of the world—that of the Maid of Orleans. But this was through the process of “rehabilitation,” when all existing documents were brought forth, and men still living, who had been witnesses at the inquest, were re-examined. Yet even here we have a testimony to the obdurate darkness in which such a secret was locked, by the difficulties, formidable even to a despotic king supported by an enthusiastic people, felt in wrenching it open.¹ There can be no doubt that wherever the Church had an overwhelming power, the arrangement was effective. This is proved by the multitude of heresies that have been so effectively suppressed as to leave but faint and fugitive traces of their existence. If it were deemed desirable for concealment of the mere fact that heresy existed, that the heretic should be put to death in secret, that was not in the power of the ecclesiastical tribunal. There is an old canonical prohibition against clerical persons taking part in punishment by death. No actual judgment or sentence was passed. The person was merely handed over to the civil power as a heretic, and it was the duty of the civil power to burn the persons on whom the Church had put that stigma.² In

modo procedendi contra Hæreticos. There are many odious things in the *Directorium Inquisitorium* of Nicolas Eymeric, but he was Inquisitor-General of Aragon, writing for the use of the Inquisition of the Holy office, and his precepts cannot fairly be imputed to the countries where the Inquisition was not established. An eloquent historian holds that these ecclesiastical courts, by their malign influence and example, corrupted the administration of secular law in France. “On y reconnaît la source de tout ce qu’il y eut d’odieux et d’inhumain dans notre vieux droit criminel. Des tribunaux ecclésiastiques, cette ténébreuse procédure se glissa dans les tribunaux laïques, et y remplaça la grossière, mais loyale jurisprudence que la féodalité avait reçue en héritage des Barbares. Les légistes monarchiques, qui, avant la fin du treizième siècle, remplacèrent presque universellement les nobles féodaux sur les bancs des assises, puisèrent à pleines mains dans l’arsenal de tyrannie que les gens d’église avaient forgé dans un autre but.”—Martin, *Hist. de France*, iv. 154.

¹ De Charmette, *Histoire de Jeanne d’Arc*, iv. 327.

² The following is a specimen of the conclusion of the ecclesiastical sentence according to the English practice in the Marian persecution: “We pronounce and declare thee as a heretic to be cast out from the

England, burning was authorised by the celebrated statute of Henry IV. We are told, however, that execution was not to be done without an order of the king in council.¹

I can find no such distinct light on the official persons who had in Scotland the duty of directing the burning of the heretic, nor on the manner of their proceeding. The contemporary annalists use the vague terms common with those who are too deeply interested in the fanatical passions at work and their tragical conclusion, to observe the judicial or ministerial forms employed in effecting it.²

Church and left to the judgment of the secular power, and now presently so do leave thee as an obstinate heretic and a person wrapped in the sentence of the great curse to be degraded worthily for the demerits (requiring them notwithstanding, in the bowels of our Lord Jesus Christ, that this execution and punishment worthily to be done upon thee may so be moderated, that the rigour thereof be not too extreme, nor yet the gentleness too much mitigated, but that it may be to the salvation of thy soul, to the extirpation, terror, and conversion of the heretics to the unity of the Catholic faith) by this our sentence definitive which we here lay upon and against thee, and do with sorrow of heart promulgate in this form aforesaid." Foxe gives this in the history of John Rogers, burnt at Coventry in 1555, explaining that he "thought good" to render it in English, that it "being here once expressed may serve for all other sentences condemnatory through the whole story to be referred unto" (iii. 125).

¹ Blackst., iv. 4. Foxe gives such an order in the case of William Sautre, a churchman, burned in 1400. It narrates that the provincial council of Canterbury have found him "to be a most manifest heretick, and therefore hath declared that he should be degraded, and hath for the same cause really degraded him from all prerogative and privilege of the clergy, decreeing to leave him to the secular power; and hath really so left him, according to the laws and canonical sanctions set forth in this behalf, and also that our holy mother the Church hath no further to do in the premises. We therefore," &c. (the writ is addressed to the Lord Mayor and Sheriffs of London), "command you, as straitly as we may or can, firmly enjoining you that you do cause the said William, being in your custody, in some public or open place within the liberties of your city aforesaid—the cause aforesaid being published unto the people—to be put into the fire, and there in the same fire really to be burned, to the great horror of his offences and the manifest example of other Christians."—Acts and Monuments, ii. 675.

² Among the most expressive of the scraps on this point in the Criminal Trials is—"The same year (1534), in the month of August, the bishops, having gotten fit opportunity, renewed their battle against Jesus Christ. David Stratoun, a gentleman of the house of Lauriston,

Above all questions of technical form, however, is the question where lay the real strength of the Church in its battle with heretics? It lay in the power to excommunicate that administrator of the secular power who failed to do his duty. Whatever effects the excommunication had in the next world, it carried with it temporal ruin.¹ So the cleansing of heresy depended not so much on the enforcement of specific laws, spiritual or secular, as on the supremacy of the Church at the time and place. When the balance turned against the Church, all was gone; hence

and Mr Norman Gourlay, were brought to judgment in the Abbey of Holyroodhouse, the king himself, all clothed with red, being present. Great pains were taken upon Dayid Stratoun to make him to recant and burn his bill [that is, his *façot*]. But he, ever standing in his defence, was in end adjudged to fire. He asked grace at the king. The bishops answered proudly that the king's hands were bound, and that he had no grace to give to such as by their law were condemned. So was he, with Mr Norman, after dinner, upon the 27th of November, led to a place beside the Rude of Greenside, and were both hanged and burnt according to the mercy of the papistical kirk." This is more like the dramatic representation than the reality of the action of a tribunal, and only shows that the writer of it—Calderwood—was groping in darkness. The passage was printed by Mr Pitcairn (i. 209) from the MS., before Calderwood's history (where it is, i. 106) was printed in full.

¹ Perhaps it may be interesting to those unacquainted with such a school of literature to see how the arrangement is told in a book understood to be the authorised announcement by the Church of Rome of the history of Christianity. The passage is in the account of England during the reign of Queen Mary. "The sanguinary statutes made for the punishment of heresy were civil laws of the realm, not canons of the Church; they constitute no part either of her doctrine or her discipline; consequently to upbraid and condemn her for the executions in which she has no hand is neither just nor reasonable. In doctrinal matters she is the supreme judge, appointed so by her divine founder; to her belongs the prerogative of pronouncing, when consulted, what is heresy and what is not; for she is the oracle of revealed truth; she is the living guide to point out the way that leads to salvation. Whenever the charge of heresy is brought before her tribunal, the allegations on both sides are fairly stated and discussed; the moment that the question is cleared up and decided she has nothing more to do: her proceedings cease. In case of conviction it is left to the civil law to take its course, but always with this recommendation, to spare the limbs and life of the delinquent."—*A General History of the Christian Church, from its earliest establishment to the present century*; by the Rev^d Joseph Reeve (Dublin, 1867): p. 449.

that suddenness in the ecclesiastical revolutions of the period of which Scotland forms so signal an example.

So much for the elements of discontent and suspicion, growing into hatred, furnished by the cruelty of the clergy and their supporters. About other matters, more closely connected with the vulgar routine and objects of life, the two classes were drawing off from each other. The ecclesiastics were becoming peculiar as a rich and luxurious class. The estates conferred on the prelaties and monastic houses centuries before, had come, from being almost worthless, to produce great revenues. While there was a continual shifting in the possessions of the lay barons, the ecclesiastical estates remained unchanged, and ever grew in fertility and value.

There were two social features in the condition of the clergy apt to irritate a poor and homely landed gentry. They were rich, and they were aliens in taste and training, spending their affluence in conformity with foreign and luxurious fashions. Among the many Scots who sought a foreign education, those training themselves for the Church predominated. They were thus initiated into foreign tastes and connections, which fitted only too well into their foreign allegiance to the hierarchy of Rome. There were in this widened intercourse liberalising and humanising influences, but those of another kind prevailed. On the one side we may see the rich accomplished scholar and French courtier Elphinstone munificently endowing a university after the model of the University of Paris; but a type of the other and prevalent side is Beaton, audacious in his profuseness and profligacy.¹

For all that the Scots had a rooted prejudice against any precedents coming from England, the revelations

¹ "For my maist princely prodigality
 Among prelates in France I bore the prise.
 I schew my lordly liberality
 In banqueting, playing at cards and dyce.
 Into such wisdom I was halden wise,
 And sparit not to play with king or knight
 Three thousand crowns of gold upon a night.
 —Sir David Lindsay: *The Tragedy of the Cardinal*

made by Henry VIII.'s raid on the monastic houses cannot but have caused a deep impression, and made thinking men ask whether it might be that like conditions were to be found in the noble clusters of buildings which lodged the Regular fraternities and sisterhoods in their own country. Henry's commission of inquiry was a marvellous success. The designs and motives by which it was inspired had no claim to approval, but the result put to silence all that could be said against them. Public rumour, too, and the exaggeration of the designing, deepened the darkness of the revelation. Worse things than those that were done could not be invented by malicious tale-tellers; but the rare or solitary crime was spread over a wide area, and from an individuality became a generality. The whole story was told in the coarsest and broadest terms to the Government of Scotland by Sir Ralph Sadler, and by others who desired the English precedent to be followed there. Enumerating a loathsome and unrepeatable catalogue of vices, we find Sir Ralph telling King James V. that the same will be found in his own dominions, "unless your monks be more holy in Scotland than ours are in England." The king did not stand up for their purity; but there was no pressure on him to follow an English example, and the disappointed ambassador has to relate,—"'Oh,' quoth the king, 'God forbid that if a few be not good, for them all the rest should be destroyed. Though some be not,' quoth he, 'there be a great many good; and the good may be suffered, and the evil must be reformed; as ye shall hear,' quoth he, 'that I shall help to see it redressed in Scotland, by God's grace, if I brook life.'"¹

Some families of the poorer landed gentry held in relation to churchmen a position that could not but subject them to humiliation. Their sisters or daughters were the known concubines of rich ecclesiastics, and held rank accordingly. For many of the clergy who lived in concubinage according to the letter of the law, there was doubtless the plea that morally they led a life of married domesticity. They were dissenters or schismatics, rather than sinners.

¹ Sadler State Papers, i. 31.

They repudiated the doctrine of clerical celibacy; and, holding that the clergy ought to be permitted to marry like other men, they took to their homes women who held the same view, and lived with them in soberness and constancy, regretting that perverse laws denied them the legal privileges of wedlock, but with consciences void of offence, doing what seemed to them right amid the difficulties by which they were surrounded. Whole branches of the Church had acted on this principle, and given to it the respectability of an established institution. So we have seen it among the old Culdees, and perhaps its spirit lingered in Scotland down to the Reformation. At the best, however, it was a lax and dangerous system. Every man who practised it was a law unto himself. There was no distinct sanction drawing, as the law of marriage draws, an obvious unmistakable line between domesticity and profligacy.

And of many of the great rich churchmen, such as Cardinal Beaton and his successor, it was known that they did not profess these humble domestic views, or place themselves in the position of dissenters from the Church, by affecting the life of married persons. They flared their amours in the face of the world, as if proud of the excellence of their taste for beauty, and the rank and birth that had become prostrate to their solicitations. It seemed as if their very greatness as temporal grandees enabled them to defy the ordinary laws of decorum, while their spiritual rank secured to them immunity from that clerical punishment which it was their duty to pronounce against less gifted sinners.

This blot upon the Romish establishment was not a matter of debate, like the soundness of its doctrines. The proceedings of ecclesiastical councils, and other documents having to deal with discipline and conduct, are profuse in wailings and denunciations of the ever-pervading irregularities. In Scotland they are denounced in the earliest ecclesiastical canons—those of the thirteenth century—and, as we shall presently see, they are denounced with increased emphasis in the proceedings of the latest provincial council held by the Romish clergy. These

denunciations make no distinction between those unions which were a virtual protest against the laws of celibacy, and the others which testified to defiant profligacy. Probably the more decorous kind were considered the more dangerous, as a following up of their principles by serious men professing to walk uprightly according to their false lights. But, taken in any way, the protestations and lamentations of the Church itself proclaimed within it a sore which centuries of endeavour had not cured—which had rooted itself all the deeper through all the efforts to eradicate it. We can only know the extent and influence of this social specialty by familiar acquaintance with contemporary documents. Those who, at a later period, interpreted the history of the times, when they found that some eminent person who had got a good start in life, and pursued the advantage into a career of eminence, was the son of a Popish clergyman, thought they had traced him to an origin more infamous than ordinary illegitimacy. It was, in his own days, actually more respectable, as coming of a usage countenanced by a party. This unconformity between the spirit of the age and the spirit of the writer dealing with it is productive occasionally of indistinctness.¹

The result in the social condition of the country was, that the rule of celibacy, though observed in law, was abrogated in practice among those of the clergy who were rich enough to support households. This was so much of an acknowledged system, that, when there was moderation and constancy, the union was deemed respectable. The

¹ Of the excellent Bishop Elphinstone of Aberdeen, one of the most enlightened of the patrons and advocates of the higher reaches of education, we are told that "there is no doubt that he was, like so many well-educated men of his time, the offspring of a churchman who could not legally marry, but whose connection and family, in violation of his vows, were then tolerated by society, and almost sanctioned by the practice of the highest of his order." As appropriate to the remark made above, it is stated in a note to this how two writers of the eighteenth century—Crawfurd and Keith—have covered this disgrace under the convenient and pious fiction that the bishop's father took orders after he became a widower.—Innes's Sketches, 260.

concubines of the dignified clergy and their illegitimate children had a fixed place in society. Such connection and parentage, instead of being huddled into obscurity, was expressly and definitely set forth in public documents and the title-deeds of estates. But nothing could remove a certain degree of stigma from the class of persons thus marked off. It was felt that what they got from society was bought by sheer wealth, not given by gratuitous social respect. The worshipful houses which had to submit to such alliances felt the humiliation of them, and were led to ponder on the problem whether the wealth of the clergy could not be got at in some more direct and less unpleasant way.

King James V. did his best to foster the alienation of the laity from the clergy, by distrusting the heads of the feudal houses and taking counsel of the churchmen. We have seen how hard he pressed upon the aristocracy with forfeitures and penalties. These enabled him to enrich his favourites among the clergy, and the landed gentry felt as if their property and power were gradually dropping away from them to endow their enemies. The two Beaton kept up a magnificence which none of the nobles, except perhaps Arran, could rival. It was said that the elder had prepared a list of forfeitures, and that King James V., taking note of the sum total represented by it, as a conclusion was, by a gradual process of suction, to draw the land away from its lay owners for the enrichment of his clerical advisers.

Such rumours, well or ill founded, led men to familiarity with the converse of the process. Long before the crisis of Elizabeth's accession, the lay gentry of Scotland had their eyes pretty steadily fixed on the estates of the Church and clergy. When a set of teachers arose whose doctrine pointed to the conclusion that these clergy were false prophets who had no title to their position, and consequently no just right to the wealth it brought to them, there was a disposition to listen. The new doctrines, as presented to these greedy laymen, were expressed, after Knox's peculiar method, in the most abrupt and emphatic words, and in the most startling contrast to old received

opinions. But if they were thus likely rather to shock and alarm than to conciliate the cautious and selfish, there was in the end a little sentence concerning the things of this world carrying compensation for novel and unusual doctrines bearing on the next—it announced that the tithes did not by God's law belong to the churchmen. Perhaps Knox regretted that he had put this view too generally when the lay impropiators interpreted it for themselves, and acted on their interpretation in such manner as to make him call down the divine vengeance on "the merciless devourers of the patronage of the Kirk"¹

¹ The articles are announced by Knox himself in thorough character. The date is 1547.

"The bastard bischoppe, who yit was not execrated (consecrated thei call it), wrait to the Suppriour of Sanctandrois, who (*sede vacante*) was vicare-generall, 'That he wondered that he suffered sic hereticall and schismaticall doctrin to be tawght, and nott to oppone himself to the same.' Upoun this rebuck, was a conventioun of Grey Freiris and Black Feindis appointed, with the said suppriour, Dean Johnne Wynrame, in Sanct Leonardis yardis, whareunto was first called Johnne Rowght, and certane articles redd unto him; and thairafter was Johnne Knox called for. The caus of thare conventioun, and why that thei war called, was exponed; and the articles war read, which war these:—

"I. No mortall man can be the head of the Church.

"II. The Pape is ane Antichrist, and so is no member of Christis misticall body.

"III. Man may nether maik nor devise a religioun that is acceptable to God; butt man is bound to observe and keap the religioun that fra God is receaved, without chopping or changinge thair of.

"IV. The sacramentis of the New Testament aucht to be ministred as thei war institut by Christ Jesus and practised by His apostles; nothing awght to be added unto thame; nothing awght to be diminished from thame.

"V. The messe is abominable idolatrie, blasphemous to the death of Christ, and a prophanatioun of the Lordis Suppar.

"VI. There is no purgatorie, in the which the saules of men can eyther be pynd or purged after this lyef; butt heavn restis to the faythfull, and hell to the reprob and unthankfull.

"VII. Praying for the dead is vain, and to the dead is idolatrie.

"VIII. There is no bischoppes, except thei preach evin by thame-selfis, without any substitut.

"IX. The teindis by Goddis law do not appeiteane of necessitie to the kirkmen."—History, i. 193.

In later times it has been acknowledged that the race of churchmen who lived in the fifteenth century had left to the world a noble legacy in the establishment of universities, and in other efforts for the promotion of learning and the education of the people. But the contemporaries whose ignorance prompted the clergy to this work were not likely to appreciate it. On the contrary, they felt invidiously the power which these churchmen were gathering to themselves through their superior learning. It enabled them to consolidate and strengthen their ever-accumulating estates. They were helped towards this end, and towards the oppression of the laity, by becoming the administrators of the law. There was no obdurate conglomerate of local customs, like the common law in England, to bid defiance by its bulk and weight to the subtle influence of the civilians and canonists. The Scots, indeed, when their lot was severed from that of their English fellow-Saxons, avowedly adopted the two foreign systems from their allies of France. The canon law, the child of the civil law, was part of the professional training of the churchman; and having the key to both systems, he had many chances beyond the layman of rendering himself a dexterous adept, and monopolising the administration of justice.

The office of Chancellor was nearest to the throne, and its holder was the head of the law. When the chief of any great house was aggrandising it into supremacy over all others, he would take this office to himself. So it had been held by Crichton, by Boyd, the favourite of James III., and by Angus. Gradually, however, the office became absorbed in the Church, and no layman had held it since the beginning of the century. When the Court of Session was established, it was to consist half of clergy, half of laymen; but its first president was the Abbot of Cambuskenneth.

There was, at the same time, a large department in the administration of justice over which the Church arrogated entire management and control as a matter vitally connected with its spiritual functions.

In the course of this history it has been found desirable,

as occasion suggested, to turn aside for the purpose of examining the contest of the Church for obtaining command over all parts of the law and custom that touched matrimony and legitimacy. We have seen that it was by degrees, one community yielding after another, that the Church obtained throughout Christendom, not only the control over the constitution of lawful wedlock, but the establishment of impediments to certain classes of persons wedding each other—impediments which the Church alone had the power of removing. We have seen how the disabilities were widened for the purpose of giving the Church a larger power in judging who could wed and who could not.

We can never judge on the social effect of a country's laws from their mere letter. Sometimes there has been a legal technical machinery for thwarting it—a device in which the law of England has abounded. Sometimes, as in parts of the United States, it is utterly powerless without the co-operation of public feeling. We must therefore see the social condition of a country before we judge of the influence of its laws. It happens that a broad light is let in on Scotland on the eve of the Reformation, and we can thus see the organisation here referred to at its full growth, and its fruits coming to their poisonous ripening.

The area of exclusion is thus described: "Persons within eight degrees of consanguinity—in other words, who had had a common great-great-grandfather, or great-great-grandmother—might not legally wed. But it was not the relation by birth alone that barred marriage. It was forbidden also to parties within eight degrees of affinity—that is, to those whom marriage, or even an illegitimate intimacy, connected within those degrees. The prohibition was farther extended to all coming within the same degrees of each other through *spiritual relation*, or that created by baptism—which affected not only the wide cousinhoods of the *baptisans* and *baptisatus*, but the connections arising from the relation of godfather and godmother, as such, in regard to each other. The effects of such a tyranny must have been felt doubly in a country so narrow and so distant as Scotland. The Archbishop of St Andrews, writing in 1554 for the information of the

Pope, stated that such was the cousinship among the Scotch families it was almost impossible to find a match for one of good birth that should not come within the prohibited degrees. The evil of this, says the archbishop, is, that men marry on the promise or hope of a dispensation to be procured afterwards, but, tiring of the connection, either divorce their wives or at once put them away, under pretext of the want of dispensation and their inability to afford the expense necessary for procuring one." "Marriage became, in fact, a temporary contract, or worse, a bargain, from which either party might break at pleasure. It was in theory indissoluble; but when both spouses, or either, tired of the bond, nothing so easy as to find or make an impediment which proved it null from the beginning. If, by an uncommon chance, the man and woman were not themselves within the forbidden degrees — cousins not more than eight times removed—it was hard if it could not be shown, by such witnesses as were used in the consistorial court, that one of the two had had intercourse lawfully or sinfully, or was connected spiritually, with a person related within those degrees to the other party."¹

¹ Quarterly Review, lxxxix. 49, 50, "Scotland before the Reformation," by Professor Innes. Perhaps amusement as well as instruction may be drawn from the following fragmentary passages, picked out of a very chaotic literary heap. They are the work of a man who approached the sources of his information neither as a theologian nor a philosopher of jurisprudence, but as a practical genealogist in search of pedigrees, and extremely expert in unravelling them when their tangled and knotty condition put inferior artists at defiance. In dealing with this period we find him like a strong man rejoicing in his strength, and passing out of the usual dreary dryness of his details into exhilarating gambols.

"A vast range of relations and connections were included in the forbidden degrees, even embracing those of godfather and godmother and sponsors, with their genuine and constructive offspring; while the upper ranks, in the same way as in Germany and the Continent, then more exclusively intermarrying and being connected, the greatest scope and opportunity were afforded to the exception. Of course, such a mode of eschewing the nuptial thralldom, when parties were discontented, was eagerly adopted, either singly or by collusion, giving, moreover, the most unlimited vent to gossip and detraction, falsehood and perjury, which obtained a high premium, since the scandalous but decisive imputation could be supported by parole evidence. It

So much for the moral and social influence of the law of marriage as made and administered by the Church. But it had also a direct influence in the distribution of the worldly goods of the community. It swept into ecclesiastical jurisdiction all questions about the legitimacy of offspring and their right to represent their parents.

This made churchmen the arbiters of succession. The feudal law was so far a barrier that they could carry their ecclesiastical law no farther than to separate those who, by illegitimacy, were excluded from its benefits. But the law of succession to other property was entirely worked by them. Where there were settlements, their interpretation, and where there were no settlements, the distribution of the estate among the next of kin, were business all managed by the bishop's consistory. The working of the system was all the more amenable to suspicion, that the Church or individual churchmen were often party claimants in the distribution of a dead man's goods.

To all these legitimate judicial services, the Church was enabled, by a very curious process, to add a large portion in the coercive functions of the common law. It became a practice, when any person undertook an obligation, that he should make a vow or oath to perform it, and that oath was put on record. Now the breaking of an oath was an ecclesiastical offence, for which a man became liable to excommunication, or to Cursing, as it was

might also have been long in transpiring, and only by mere accident, so that, as I have observed, great uncertainty must have prevailed as to the status and condition of individuals; nay, it was impossible to say who were legally married or not, which indeed evinces the extreme necessity of the equitable and salving plea of ignorantia. Then again, in the case of the blasting precontract with, &c., that worked in the same way, between a man and a woman, who capriciously, like some of her sex, would neither complete marriage or release him by certain known expedients—owing to its otherwise indefeasible nature, the former was placed in the strange predicament—like a soul in purgatory—of fluttering between two states. No doubt he might have raised an action of solemnisation against her; but she still, not with much difficulty, might have eluded him by feigning a similar entanglement with another.”—*Inquiry into the Law and Practice in Scottish Peerages*, &c., by John Riddell, p. 466.

aply called in Scotland. Exacting the oath was an established practice of the money-lenders, and the borrowers, with the proverbial thoughtlessness of their class, took it with other risks. It was not the spiritual influence of excommunication that was the temptation for this use of the oath. Persons under process of cursing were subjected to legal execution against person and property. It was the preliminary step of a warrant for arrest and imprisonment, and for the impounding and seizure of goods. Hence "letters of cursing" were as much the usual order in debit and credit transactions as any common writ of later times for seizing the person and distraining the goods.¹ Scotland had by no means reached that stage in the development of social science, in which those concerned in executing the severities of the law are to be revered as a terror to evil-doers, and a praise and protection to them that do well. From the burning of the heretic down to the troubling of the poor debtor, the Church was monopolising all this unpopular business to itself—it was inquisitor, hangman, and bailiff. It was ever endeavouring to widen its powers, even when they were of this unenviable kind. For instance, it had become a practice for the ecclesiastical authorities to curse the executive officers of the civil courts for giving effect to their decisions. So early as the year 1484, we find steps taken against this aggression. It was adjudged by the Lords of Council that, for any such wrongous and in-orderly cursing of the king's officer in the performance of his duty, by any bishop or other ecclesiastical person, "the said bishop or other ecclesiastical person may be corrected and punished by the king's highness, that the

¹ This anomalous process became, in the course of events, the parent of one of the most useful and effective means for obtaining rapid justice known in modern legal practice. When the great change came, as a substitute for the oath and the consequent cursing, came the "clause of registration," a clause binding the parties to any deed or contract, on its being recorded in the roll of a court, to submit to its terms as if a judgment of the court to that effect had passed against them. It has gone into England in an imperfect shape, as the "warrant to confess judgment."

same may be an example to others to abstain from all such doings in time to come."¹

This process, as well as many others of the old ecclesiastical tribunals, has excited considerable ungratified curiosity. We have seen how the process against heresy was shrouded in mystery, while the ecclesiastics preserved ample records of their other business. It may be supposed that in the confusion that followed, any papers likely to influence the public mind by affording testimony to the secular work of the Church, would be put out of the way by their custodiers after the manner of the general burning of private letters in government departments when a change of ministry is undoubted. It hence happens that a very magnificent specimen of letters of cursing found lately among the English state papers is all the more curious. It was transmitted in 1525 by Magnus, an emissary in Scotland, to Cardinal Wolsey, as a document worthy of notice.²

The occasion was one of public importance—an attempt, through this kind of spiritual warfare and its civil consequences, to subdue the border rieviers, and make them give up their evil ways. The document may have risen to the occasion. It is called by Magnus "a terrible cursing," and may be, perhaps, an exaggeration on the chastisement administered to the swindler or defaulting debtor. It is certain that, as concerning this document, the usual charges against the Church of Rome regarding unknown tongues, and obscure and ambiguous phrase-

¹ Balfour's *Practiks*, 565.

² Of Magnus, see above, chap. xxxii. We have the form of an excommunication, or cursing in the vernacular, to be read to the people four times a-year. It enumerates the various sins supposed chiefly to beset the community, and dooms those who remain in them unrepentant to perdition, through the symbol of extinguishing a lighted candle by dashing it down. The expressions of this document are pretty strong, and not unlike those in use on ceremonial occasions in some Protestant communities. But, issued as it is against hypothetical offenders, it has not that direct impulsive vehemence which seems to have been inspired by the realisation of the offences committed and the persons committing them. The form will be found in the *Statuta Ecclesiæ Scoticane*, 6.

ology, do not apply. After a preamble the cursing comes forth as follows:—

“I denounce, proclaim, and declare all and sundry the committers of the said sackless murders, slaughters, burnings, heirschippes, reiffes, thefts, and spulies, openly upon daylight, and under silence of the night, as well within temporal lands as kirk lands; together with their part-takers, assistars, suppliars, wittanlie resettlers of their persons, the goods reft and stolen by them, art or part thereof, and their counsellors and defenders of their evil deeds;—generally cursed, waried, aggregate, and reaggregate, with The Great Cursing. I curse their head and all the hairs of their head; I curse their face, their eyes, their mouth, their nose, their tongue, their teeth, their crag, their shoulders, their breast, their heart, their stomach, their back, their waime, their arms, their legs, their hands, their feet, and every ilk part of their body, from the top of their head to the sole of their feet, behind and before, within and without. I curse them going, I curse them riding; I curse them eating, I curse them drinking; I curse them waking, I curse them sleeping; I curse them rising, I curse them lying; I curse them at home, I curse them from home; I curse them within the house, I curse them without the house; I curse their wives, their bairns, and their servants participant with them in their deeds. I warie their corn, their cattle, their wool, their sheep, their horse, their swine, their hens, and all their quick goods. I curse their halls, their chambers, their kitchens, their stables, their barns, their byres, their barnyards, their kailyards, their ploughs, their harrows, and the goods and houses that is necessary for their sustentation and welfare. All the malisons and waresouns that ever gat worldly creature since the beginning of the world to this hour, mot light upon them. The malediction of God that lighted upon Lucifer and all his fellows, that struck them from the high heaven to the deep hell, mot light upon them. The fire and sword that stopped Adam from the yetts of paradise, mot stop them from the glory of heaven, till they forbear and make amends. The malison that lighted on cursed Cain, when he slew his brother just

Abel without cause, mot light upon them for the saikless slaughter that they commit daily. The malediction that lighted upon all the world, man and beast, and all that ever took life, when all was drowned by the flood of Noah, except Noah and his ark, mot light upon them, and drown them, man and beast, and make this realm cumberless of them for their wicked sins. The thunder and lightning that went down as rain upon the cities of Sodom and Gomorrah, with all the lands about, and burnt them for their vile sins, mot rain upon them, and burn them for open sins. The malison and confusion that lighted on the giants for their oppression and pride, building the tower of Babel, mot confound them and all their works, for their open robberies and oppression. All the plagues that fell upon Pharaoh and his people of Egypt, their lands, corn, and cattle, mot fall upon them, their tacks, rowmes, and steadings, corn, and beasts. The water of Tweed, and other waters where they ride, mot drown them as the Red Sea drowned King Pharaoh and the people of Egypt pursuing God's people of Israel. The earth mot open, rive, and cleave, and swallow them quick to hell, as it swallowed cursed Dathan and Abiram that gainsaid Moses and the command of God. The wild fire that burned Korah and his fellows to the number of two hundred and fifty, and others 14,000 and 700 at once, usurping against Moses and Aaron, servants of God, mot suddenly burn and consume them daily gainsaying the commands of God and holy Kirk. The malediction that lighted suddenly upon fair Absalom, riding against his father King David, servant of God, through the wood, when the branches of a tree freed him of his horse and hanged him by the hair, mot light upon them riding against true Scottishmen, and hang them siclike that all the world may see. The malediction that lighted upon Holofernes, lieutenant to Nebuchadnezzar, making war and heirschippis upon true Christian men; the malediction that lighted upon Judas, Pilate, Herod, and the Jews that crucified our Lord, and all the plagues and troubles that lighted on the city of Jerusalem therefor and upon Simon Magus for his simony, bloody Nero, cursed Decius,

Maxentius, Olybrius, Julianus Apostata, and the lave of the cruel tyrants that slew and murdered Christ's holy servants, mot light upon them for their cruel tyranny and murtherdom of Christian people. And all the vengeance that ever was taken since the world began for open sins, and all the plagues and pestilences that ever fell on man or beast, mot fall on them for their open robbery, saikless slaughter, and shedding of innocent blood. I dissever and part them from the Kirk of God, and deliver them quick to the devil of hell, as the apostle St Paul delivered Corinthion. I interdict the places they come in from divine service, ministration of the sacraments of holy Kirk, except the sacrament of baptism only; and forbid all kirkmen to shrive or absolve them of their sins, till they be first absolved of this cursing. I forbid all Christian man or woman to have any company with them, eating, drinking, speaking, praying, lying, going, standing, or in any other deed doing, under the pain of deadly sin. I discharge all bands, acts, contracts, oaths, and obligations made to them by any persons, either of lawte kindness or manrent, so long as they sustain this cursing; so that no man be bounden to them, and that they be bounden to all men. I take from them, and cry down all the good deeds that ever they did or shall do, till they rise from this cursing. I declare them partless of all matins, masses, even-songs, dirges, or other prayers, on book or bead; of all pilgrimages and almous deeds done or to be done in holy Kirk, or by Christian people, enduring this cursing. And, finally, I condemn them perpetually to the deep pit of hell, to remain with Lucifer and all his fellows, and their bodies to the gallows of the Boroughmuir, first to be hanged, syne riven and rugged with dogs, swine, and other wild beasts, abominable to all the world. And as their candles go from your sight, so may their souls go from the visage of God, and their good fame from the world, till they forbear their open sins aforesaid, and rise from this terrible cursing, and make satisfaction and penance."¹

We can suppose all this to have had a very terrifying

¹ State Papers (Henry VIII.), iv. 418, 419.

effect, so long as it was believed that the curses proclaimed by man were sure to be ratified by God. But if doubts and questions arose on this point, then would the whole resolve itself into wild ribaldry, and the cause of ribaldry in others. The practice came to be ridiculed by the satirists. About the beginning of the sixteenth century, a poet named Rowl—a priest, as it would appear—issued a rhyming cursing against persons who had robbed his poultry-yard and his garden.¹ In 1535 an Act was passed for rendering more effective and severe the civil execution to follow upon cursing; and the reason assigned for this was, “because the damnable persuasions of heretics and their perverse doctrine gives occasion to lightly the process of cursing and other censures of holy Kirk,” &c.²

John Knox tells us of a friar named Arth who, in the year 1534, preached at St Andrews, and in the presence of several dignified clergymen, a sermon in which he attacked some usages in high favour with the Church, and that in such manner that only great skill could have prevented him from falling into the terrible pitfall of prov-

¹ Reprinted in Laing's Select Remains of the Ancient Popular Poetry of Scotland :—

*“ Here followis
The cursing of Sir John Rowlis
Upoun the steilaris of his fowlis.*

*“ Devyne power of michtis maist
Of Fadir, Sone, and Haly Ghaist,
Jesu Chryst and His appostellis,
Peter, Paul, and His discipillis,
And all the power under God;
And now of Rome that beiris the rod
Under the hevin to loose and bind,
Paip Alexander that we do fyud,
With that power that Peter gaif,
God's braid malison next they haif,
And all the blude about their heart.
Black be their hour—black be their part,
For five fat geese of Sir John Rowlis,
With capons, hens, and uthir fowlis,
Baith the holders and concealers,
Resettlers and the proved stealers,
And he that sauls, seizes, and damns,
Beteich the devil, their guts and gammis,
Their tongue, their teeth, their hands, their feet.
And all their body haill complete,
That brak his yaird and stole his frute.”*

² Act. Parl., ii. 342.

able heresy. He said of cursing, that, "if it were rightly used, it was the most fearful thing upon the face of the earth, for it was the very separation of man from God; but that it should not be used lightly, or for very slight cause, but only against open and incorrigible sinners." And he continued to say, "But now the avarice of priests and their ignorance of their office have caused it altogether to be vilipended; for the priest, whose duty and office it is to pray for the people, stands up on Sunday and cries, 'Ane has tynt a spurtle. There is ane flail stolen from them beyond the burn. The goodwife on the other side of the gait has tynt ane horn spoon. God's malison and mine I give to them that knows of this geere, and restores it not;'" and he followed up with further illustrations "of how the people mocked their cursing."¹

This process of excommunication or cursing had an ugly alliance with another fertile source of quarrel between clergy and laity—the levying of tithes, or, as the equivalent word stood in Scotland, teinds. A tithe uncommuted to a fixed payment becomes a tax increasing in its pressure with the productive industry of the people. Whatever it had been in early times, it was felt in the sixteenth century to be heavily pressing on a number of small agriculturists or cottars who were rising into a class respectable and collectively powerful, but individually so little above poverty that a careful parsimony was necessary to the preservation of the self-supporting independence which they loved. The tithe, which this class felt as an oppressive impost, was levied on them, like other debts, through the process of cursing and the civil execution following on it; and naturally they felt that the clergy, by secular infictions and spiritual anathemas, extracted from them—poor, and hard workers—the fruit of their industry, to swell their own wealth and minister to their pampered appetites. There were many other established dues exacted by the Church, the most offensive of which appear to have been made conditional on the rite of burial, which brought them on families in the time of affliction, and often when

¹ History, i. 39.

they were stricken with sudden poverty. Among these exactions we find "the kirk cow" and the "upmost cloth" recurring in the documents and the popular literature of the day as grievances keeping the common people in continual irritation.¹

All these transactions, in which the clergy gave offence to the people in matters affecting their secular affairs or interests, had much more influence on the coming change than any differences regarding matters of doctrine. It no doubt aggravated all these sources of offence, that the persons who had so much of the country's wealth and power, and had so much influence over the fate of the private citizen, took their instructions from and held themselves responsible to a foreign potentate. In other shapes, too, foreign influences and ties were strengthening their hold upon the Church. Its head was not only

¹ Sir David Lindsay, in the Satire of the Three Estates, puts the incidents of such an extortion into the words of the mendicant who breaks in upon the performance. It is a highly-coloured illustration of the grievance. His father and mother have died, leaving him a small agricultural stock—"a mare that carried salt and coal, and three kye baith fat and fair," of the purest Ayrshire breed, then as now celebrated. The misfortunes begin with a feudal exaction:—

"Our gude grey mare was bating on the field,
Our land's laird took her for his haregeld.
The vicar took the best cow by the head,
Incontinent, when my father was dead
And when the vicar heard how that my mother
Was deed, fra hand he took fra me ane uther.
Then Meg my wife did mourn baith even and morrow
Till at the last she deit for very sorrow;
And when the vicar heard tell my wife was dead,
The third cow then he cleiket by the head
Their upmost claithe, whilk was of raploch grey,
The vicar gart his clerk bear them away.
When that was gane, I might make na debate,
But with my bairnis part for to beg my meat
Now have I told you the black verity,
How I am brocht into this misery.

Diligence.—How did the parson? was he not thy gude friend?

Poor man.—The devil stick him!—he cursed me for my teind."

—Act ii. Scene 1.

To feel the significance of this, one must remember that it belongs to a piece which was eminently popular through the country several years before the Reformation, and while the Romish hierarchy was in the full flush of the powers and prerogatives against which its satire was levelled

cardinal *a latere* from Rome, but was Bishop of Mirepoix, in France; and there was a busy intercourse between the Scots clergy and those of the great Continental despotisms.

The internal condition of the Church was not, like many other matters of accusation and defence connected with the times, a question on which there were two sides. The worldliness of the churchmen, regular and secular, their luxurious and profligate living, their neglect of their sacred functions, and their unscrupulous dealings with the property of the Church—even the offensive usages which made the clergy the instruments of secular oppression, were objects of continued alarm and reprehension within the Church itself, and of censure from its best friends without. There was much internal disquiet from the same cause in the several branches of the Church throughout Europe; but in Scotland it appears to have been excessive. Indeed, from the time of the great Catholic revival under the sons of St Margaret in the twelfth century, the Church's self-reproaches seem to have run on as if the leaven of the old disreputable Culdees still remained in it. In the year 1424 the Estates recorded among their acts a solemn admonition, addressed in the king's name, to the heads of the Benedictine and Austine houses, lamenting their irregularities, and sternly calling them to better order if they would save their establishments from ruin.¹

Leslie, Bishop of Ross, an ardent partisan of the old Church, attributed its abuses to the influence of the crown at the Court of Rome overshadowing that of the local Church. Whatever may be said of his skill in pointing to the cause, his description of the effect is brief and emphatic. "The abbeyes came to secular abuses, the abbots and priors being promovit furth of the Court, wha lived, court-like, secularly, and voluptuously. And there ceased all religious and godly minds and deeds, wherewith the seculars and temporal men, being slandered with their evil example, fell fra all devotion and godlyness

to the works of wickedness, whereof daily mikel evil did increase."¹

In 1541 the Estates resumed consideration of the abuses of the clergy, and passed a second and broader censure, to be issued in the name of the king, calling on the prelates, "and every kirkman in his own degree, to reform themselves, their obedienciaries and kirkmen under them, in habit and manners to God and man." This injunction expanding into particulars was inspired by no Calvinistic teaching; for among the abuses which it denounces as scandals to the Church is a lapsing from the proper observances to "the Virgyn Mary and all holy saints."²

But the censures coming from external authority were gentle in comparison with those uttered by the Church against its own unworthy members. A provincial council, held in 1549, before the Reformation was yet a visible power in the state, resolved upon a sweeping reform, and in the remedies it enacted, echoed the depth of the abuses it laid open. A writer of our own day has furnished a narrative of the doings of that council, at once so full, so brief, and so distinct, that any attempt to recast it would be injustice to the reader. The injunctions on the clergy were: "To put away their concubines, under pain of deprivation of their benefices; to dismiss from their houses the children born to them in concubinage; not to promote such children to benefices, nor to enrich them—the daughters with dowries, the sons with baronies—from the patrimony of the Church. Prelates were admonished not to keep in their households manifest drunkards, gamblers, whoremongers, brawlers, night-walkers, buffoons,

¹ History, 40. A generation earlier, another eminent ecclesiastic, Archdeacon Bellenden, had expressed himself to a like effect at greater length (Chronicles, xii. 17). A portion of the passage has been already cited, as questioning the policy of the profuse establishing of religious houses in King David's reign (see chap. xiii.) The archdeacon's reproof is the more emphatic that he went out of his way to render it. His book professes to be a translation of Boece's History; but this passage is an addition of his own.

² Act. Parl., ii. 370.

blasphemers, profane swearers. The clergy, in general, were exhorted to amend their lives and manners, to dress modestly and gravely, to keep their faces shaven and their heads tonsured, to live soberly and frugally, so as to have more to spare for the poor, to abstain from secular pursuits, especially trading.

“Provision was made for preaching to the people; for teaching grammar, divinity, and canon law in cathedrals and abbeys; for visiting and reforming monasteries, nunneries, and hospitals; for recalling fugitives and apostates, whether monks or nuns, to their cloisters; for sending from every monastery one or more monks to a university; for preventing unqualified persons from receiving orders, and from holding cure of souls; for enforcing residence, and for restraining pluralities; for preventing the evasion of spiritual censures by bribes or fines; for silencing pardoners, or itinerant hawkers of indulgences and relics; for compelling parish clerks to do their duty in person, or to find sufficient substitutes; for registering the testaments and inventories of persons deceased, and for securing faithful administration of their estates, by bringing their executors to yearly account and reckoning; for suspending unfit notaries, and for preserving the protocols of notaries deceased; for reforming the abuses of the consistorial courts.”

That in all this there was no intention of a surrender to the new doctrines is shown in the tenor of the further reformatory injunctions, as follows: “Strict inquest for heresy was ordered to be made by every ordinary in his diocese, by every abbot or prior in his convent. That the inquest might be the more effectual, the inquisitors were supplied with a schedule of the chief points of heresy. These were—speaking against the rites and sacraments of the Church, especially the sacrifice of the mass, the sacraments of baptism, confirmation, extreme unction, penance; contempt of the censures of the Church; denial of the reign of the souls of saints with Christ in glory; denial of the immortality of the soul; denial of recompense for works of faith and charity; denial of purgatory; denial of prayer and intercession of the

saints ; denial of the lawfulness of images in Christian churches ; denial of the authority of general councils in controversies of faith ; neglect of the fasts and festivals of the Church. Heretical books, especially poems and ballads against the Church or clergy, were to be diligently sought after, and burned."¹ Something was done at this time, both by the council and otherwise, for the improvement of religious literature ; but before we come to this, it may be well to look back upon the immediate past.

The doctrines of the old Church, with the literature devotional, exegetic, and critical in which these doctrines are set forth, do not naturally form a department in a work like the present. They have, of course, to be casually referred to, but only in so far as there were peculiarities in their character specially applicable to their use in Scotland is there a proper occasion for stopping to describe them. We shall have some account to give of the dying efforts of the old Church to regain the hearts of the people by vernacular devotional literature, and we shall have next to look on the more successful efforts of the new Church to achieve such a conquest. It seems, therefore, not inappropriate to notice some features in the devotional literature sanctioned by the Romish Church for use in Scotland while still it encountered no rivalry. This is all embodied in a book already referred to in connection with the commemoration of the early saints—the Breviary of Aberdeen.² It was printed, as we have seen, in the years 1509-10. We may look in vain for references to its use and influence in the contemporary annals. That, however, is no reason for passing it over here. On the contrary, it gives negative testimony to the remarkable fact that the book of devotion prepared for the use of the Church was speedily extinguished and forgotten. It has been cited as containing commemorations of the early saints. It is interesting as a testimony that the Irish

¹ Joseph Robertson, Preface to *Statuta Ecclesiæ Scoticanæ*, cxlix. cl.

² See above, chap. viii. The Scots Hagiology of this Breviary will be found curiously enriched from other sources in 'The Kalendars of Scottish Saints,' by Bishop Forbes.

saints who swarmed in Scotland in the seventh and eighth centuries were still those on whom the priesthood relied for influencing popular devotion ; and no less interesting, that this influence suddenly collapsed, leaving no vestiges of existence but in the names of the places associated with them by the dedication of religious houses or otherwise. Even within the old Church itself there was a general recalling by the Council of Trent of the devotional literature authorised for the use of the people. A form was adjusted for the breviary—a form intended, among other things, for keeping it clear of such provincial redundancies as we are now to see. The Breviary of Aberdeen, though it bears, as we have seen, the date of 1550, when the Council of Trent was in the middle of its business, is a book that even at the present day would occupy some time in preparation and printing, and in the sixteenth century, no doubt, was protracted over a period of years, until it was completed just too late ; we may therefore, in taking it as a testimony, count it a witness some years earlier than the date it bears.

If it is material to know the qualities and powers attributed to the saints in their own age, it may be of use also to see how far these continued to demand belief after the lapse of nine centuries. Take, for instance, St Lolan, who held the rather indefinite office of *claviger* or porter of the Roman Church.¹ After seven years of steady attendance to his duties, he set off on a distant ramble, taking care to leave his key available. It refused to turn the lock, however, and those concerned were at last warned by an angel appearing to one of them, that the opening of the door could only be achieved by the hand that had closed it. Emissaries sought out Lolan, and when they told their errand, he straightway laid his arm on a stone and cut off his hand. With the aid of that hand the door was opened. In reward for this service, four sacks of mould from the cemetery of St Peter were sent to him in Scotland that he might be buried in the sacred earth. He prayed (but it is not distinctly said with efficacy)

Romanæ Ecclesiæ Claviger.—Brev. Sept. 6, 113.

that whoever in sickness made a vow to be buried in that earth, should gain the equivalents of burial in the original cemetery.

The story of St Nathalan or St Nectan must have had a more lively interest, especially to the agriculturists of Aberdeenshire, the class that in his own day had been the witnesses of, and the gainers by, his triumph. The scanty harvest of a famine year had all been consumed, so that in spring nothing remained for seed. Nathalan bade the confiding rustics sow the ground with sand, whence arose a plentiful crop. Something must have gone wrong, however, for the reaping was interrupted by fierce storms. Nathalan joining in the complaints of the peasants, the storms abated. But he had expressed himself in wrath, and owed a penance. He fixed his right arm to his leg with an iron bar, locked it, and threw the key into the river Dee, setting off to visit the *limina* of St Peter and St Paul. When he had completed this pilgrimage, a boy sold him a fish, and within it he found the key in perfect order,—so recognising that his penance was effected, and his limbs might be restored to freedom.¹

Such stories become tiresome, and one more may suffice—the legend of the great St Baldred of the Bass. On his death his sacred body was claimed by three parishes in the south of Scotland—Auldham, Tynningham, and Preston. A solution of the difficulty was sought in prayer, with the result of producing the body in triplicate, so that each parish received the actual body of the saint—a beneficent miracle, since it not only distributed its sanctifying influence, but assured the recipients of the eminent potency of that saint whose mortal remains secured so distinguished a miracle.²

¹ Brev., Jan. 6, xxv.

² Besides the Breviary, this story will be found in other literature of the sixteenth century, where it is put to curious use. Hector Boece gives it, and his account will make its best appearance in the vernacular of Bellenden.

“At this time was in Scotland three haly men of our nation—Baldred, Dunstan, and Connall. The first was ane excellent doctor, and deceisit in the Bass, ane strong castle within the sea. The parishion-

Having thus seen some characteristics of the great work of devotion prepared for use in Scotland by the Church when it followed its own spontaneous action, let us look at the devotional literature adopted by it under the pres-

ers of Auldham, Tynningham, and Preston contended whilk of them thre should have his body to decore their kirk. Finally they were content to supersed their debate whill the next morrow, to be consultit by the Bishop. On the morrow they fand by miracle of God, three beirs with three bodies, na thing discrepant frae others in quantity, colour, nor raiment. Then by command of the Bishop, ilk parochin took ane of the bodies to their kirk, and so the body of this haly man lies be miracle in all the three kirks."—Bellenden, ii. 98.

The triplication is noted curtly and evasively by Leslie, Bishop of Ross, whom we shall afterwards encounter as a somewhat worldly divine: "*De hujus post obitum corpore tribus in locis simul reperto, mira nostris historiis aspersa reperiuntur*" (*De Gestis*, 145). Major tells the story of the others with the addition that the claimants would have gone to war had they not been so appeased—a fact distinctly enhancing the beneficence of the miracle; and his comment is—"Scio non deesse theologos, negantes illud deo possibile, quod idem corpus circumscriptive poni possit in variis locis, quorum modum inopinabilem reor, ut alias in quantum sententiarum latius disserui-mus" (*De Gestis*, ch. vii.) He refers to what he says in his commentary in the four books of the Sentences. It is to be found in the tenth Distinction of the fourth book, and as this treats of the real presence in the Eucharist, the case in point from the hagiology of his native country stands in a momentous position. The question being put, "*An Deus possit aliquod corpus simul ponere in diversis locis separatis?*" he finds certain authorities, as Gandensis and Durandus, in the negative, then utters his own view, "*Hanc conclusionem pono Deus potest ponere idem corpus circumscriptive in locis diversis totalibus separatis duobus, tribusque, et sic sine statu. Probatur hæc conclusio. In vita sancti Martini legitur quod beatus Ambrosius Mediolani celebrans fuit Turonis in exequiis sancti Martini. Idem patet de corpore beati Baldredi quod dicitur esse in Aldhemem, Prestonem, et Tynningham, apud Glegornum et partes illas trita in hac est historia, quam negabit adversarius et fateor fidem non contaminando, quod multa ambigua in aliquibus sanctorum vitis ponuntur.*"

Major is apt to be ridiculed for his Sorbonic style, and the platitudes of his enormous commentaries on the Sentences. It is almost fair, therefore, to his memory, to find a lively author of his own country and church, but of nearly a century later, holding that Major "*ex-emplo corporis sancti Baldridi probat idem corpus posse esse in diversis locis simul et semel per divinam potentiam.*"—*Davidis Camerarii Scoti de Scotorum fortitudine*, 121.

There is a temptation here to cite what some half a century later a French ecclesiastic says on the same ontological mystery, though

sure of events. The provincial ecclesiastical council for Scotland in 1549 was contemporary with the Council of Trent. There had been some intention that Scotland should send representatives to that memorable assemblage, since funds were provided to pay the costs of their mission, but none went.¹ Towards the conclusion of its long sittings that council adopted, in the issuing of its celebrated catechism, a cautious and restricted precept to give the laity religious instruction in their vernacular tongue. The curious in the minor religious literature of the period are aware that books of devotion were at that time published for popular use in several parts of Europe, with the sanction of the local churches while still adhering to Rome. One of the most remarkable of these was sanc-

coming up in a different shape—the renowned eighteen heads of John the Baptist: “Ne seroit ce pas une témérité, par exemple, de vouloir déterminer quel est le véritable chef de Saint Jean-Baptiste d’entre ceux que l’on conserve dans de différentes Eglises? (car il est certain qu’il n’y peut avoir qu’un véritable) et de prétendre supprimer tous les autres? Et où trouvera-t-on des témoignages d’auteurs de tous, ou de presque tous les siècles pour faire ce discernement? Ah, que le sentiment du Pape Innocent III. est bien plus religieux et plus judicieux; et que le cardinal Baronius avoit raison de répondre à un chanoine d’Amiens, qui l’avoit consulté sur ce qu’il pensoit du chef de S. Jean-Baptiste, que l’on garde dans l’Eglise Cathédrale de cette ville ‘uti possidetis, possideatis,’ de s’en tenir à la possession et à la bonne foy de son Eglise, sans prétendre déterminer ce qui ne se peut déterminer.” — Touchant le discernment des anciennes Reliques : *Ouvrages Posthumes de Mabillon*, ii. 366.

Whatever we may say to the easy faith of the Grand Benedictine, with its unmistakable tinge of sarcastic scepticism, it is surely a descent from the infallibility altitudes of the older hagiologists, when a living dignitary of their Church puts in a plea for the partial genuineness of three of the relics, as each having a portion of the original head pieced into it.—“The Truth of supposed Legends and Fables, by H.E. Cardinal Wiseman,” in ‘*Essays on Religion and Literature* by various writers, edited by H.E. Manning, D.D.,’ 280.

¹ There seems at all times to have been little interest in Scotland in the proceedings of councils-general. From foreign authorities we know that at the Council of Basle, in the fifteenth century, a certain Thomas, Abbot of Dundrennan, was a distinguished and leading member; but his eminence there has no echo at home, and nothing is said about him in the chronicles and the other sources of history. The fullest inquiry after traces of him will be found in the Preface to the *Statuta*, xcviil.

tioned in 1551 by the provincial council. It is known as Archbishop Hamilton's Catechism; but its authorship has been attributed to him on account of the conspicuous way in which his name and style appear in front, as conferring on the work the sanction of the Church.¹

This catechism is a fine piece of composition, full of a spirit of charity and gentleness. It so carefully avoids whatever might irritate those who have a remnant of the old faith by which they may still be drawn back, that Protestants not gifted with a powerful instinct for the discovery of heterodoxies might read much of it without finding cause of offence. It exhorts the world to peace and concord: "Since so it is, as St Paul says, that we are all regenerate in Christ with ane baptism—all oblaissed to have ane faith—all redeemed with ane blood and dede of our Mediator Jesus Christ—all livand in ane hope of the eternal glory—all subjectet to the service of ane Lord—all guidet by the direction of the Haly Spirit, whilk is ane daily teacher and governour of the haill universal Kirk,—what can be mair convenient, yea, mair necessarie, than that we al, baith prelates and subjects, superiours and inferiours, always agree and concord together in the brute of ane catholic doctrine concerning all points belonging to our Christian religion?"

Even so critical an injunction as the denial of the right of private judgment is uttered with somewhat of persuasive gentleness, thus:—

"Seek not to understand thay things that is above thy intelligence; seek naught to ken thay things whilk are above thy capacity; but evermair remember of thay things that God has commanded thee to do, and be not curious

¹ "The catechisme—That is to say, ane commone and catholick instructioun of the Christin people in materis of our catholick faith and religioun, quhilk na gud Christin man or woman suld misknaw: set furth be the maist reverend father in God, Johne, Archbishop of Sanct Androus, Legatnait and Prymat of the Kirk of Scotland, in his provincial counsale haldin at Edinburgh the xxvi day of Januarie, the yeir of our Lord 1551, with the advise and counsale of the bischoppis and uthir prelatiis, with doctours of theologie and canon law of the said realme of Scotland present for the tyme."

to understand the marks of God whilk is naught necessary or profitable to thee to know for thy salvatioun."

The authors of this manual of religious instruction to the laity had no benefit from the celebrated catechism of the Council of Trent, which was not issued until a later time.¹ The Scots work had the advantage of itself appearing in a shape to be read by the people, instead of affording a mere aid to the clergy in the expositions they were told to make in the vernacular. But throughout its whole tone and tendency one would pronounce the Scots catechism as the much more skilfully adjusted of the two, both for baffling and appeasing the common enemy.

The Church seems to have been less fortunate in another vernacular exposition, avowedly intended for the laity, and written down to their capacity. It was a brief exhortation issued by the national provincial council of 1559. Its immediate object brought it at once to a point of hostility with the new doctrines. It was to be read as a preparation for receiving the sacrament of the Eucharist, supplying what in later times has been called "A Companion to the Altar."² Hence it begins with an exposition of the dogma of the real presence. It was received with much scorn by the Reformers, and is spoken of by Knox in one of his exulting sneers as "the Twopenny Faith."³

¹ The committee to adjust the catechism, the breviary, the missal, and the list of prohibited books, was appointed in the second session of Pius IV., or 1562 ("Sess. xxv. de Indice Librorum et Catechismo"). The object was to afford a manual whence the clergy might give instruction in the vernacular to prepare those coming to the sacraments. "*Quam episcopi in vulgarem linguam fideliter verti, atque a parochis omnibus populo exponi curabunt.*"—Sess. xxiv. ch. vii.

² "Devote Christian men and women, wha at this present time are to resave the blyssset sacrament of the altar, wyt ye perfectly and believe ye firmly, that under the form of bread, whilk I am now presently to minister to you, is containet treuly and really our Salvior Jesus Christ, heale in Godhead and manhead—that is, baith His body and blood and saule conjoint with His Godhead, wha in His mortal life offeret Himself upon the croce to the Father of heaven and acceptable sacrafice for our redemption fra the devil, sin, eternal dede, and hell; and now, in His immortal life, sits at the richt hand of the Eternal Father in hevin, whom in this blisset sacrament, invisibly containit under the form of bread, I am to minister to you."

³ Mr Laing says it has often been confounded with Hamilton's

The occasion of this hapless effort to meet one of the popular demands of the day, was a meeting of the clergy in provincial council, to make a last effort at internal reform. Meeting in the spring of 1559, while the existence of the Church itself stood at issue, the deliberations of this body got so little attention that they have almost dropped out of history. The business of the council was to consider certain suggestions by a body of gentlemen well affected to the Catholic establishment, remitted by the regent to the consideration of the council.¹

These men had no sympathy with the new doctrines—on the contrary, the maintenance of Catholic orthodoxy, and the suppression of heresy within the Church, were among the objects desired by them. The changes they sought were in discipline and conduct. They pressed obedience to the injunctions of 1549 against the profligacy, the extravagance, and the idleness of the clergy. They had several proposals for the extended use of the vernacular tongue in church services and devotion. The most important portion of their original suggestions, however, bore on the strictly secular functions of the Church—looking to the shortening and simplifying of procedure in the ecclesiastical courts, and to the abolition or commutation of the odious taxes on the burial of the dead, and on other ecclesiastical services.

The dealing of the council with these suggestions loses nearly all its importance, as being virtually an unheard

Catechism, and that "of the Twopenny Faith printed in 1559 no copy is known to be preserved."—Note to Knox's History, i. 291. The editor of the *Statuta Ecclesie* (p. 177) identifies it with a paper which he prints as part of the proceedings of the council, with the title, 'Ane Godly Exhortation made and set forth be the maist reverend father in God, John, Archbishop of St Andrews, Primate of Scotland, Legate, &c., with the avice of the provincial counsaile, halden, &c., to all vicars, curates, and others, consecrate priests, lawful ministers of the sacrament of the altar, to be read and shawn by them to the Christian people when any are to recave the said blessed sacrament.'

¹ Articles proponit to the Queen-Regent of Scotland by some temporal lords and barons, and sent by her grace to the hail prelates and principals of the clergy convened in the provincial council in Edinburgh.—*Statuta Ecclesie Scoticanæ*, ii. 146.

voice in the tumult. The proposals for vernacular services were discountenanced, though, as we have seen, one little morsel in native Scots, not of a hopeful tenor, was issued. Something was passed towards checking ecclesiastical exactions. The most effective part of the resolutions of the council, however, went to the preservation of internal discipline among the clergy; and we are told that the efficiency of these was of a kind so little contemplated by the framers, that they served by their strictness to drive many of the churchmen over to the Reformers.¹

¹ Bishop Leslie calls these "sharp-statutes," "whilk was the principal cause that a great number of young abbots, priors, deans, and beneficed men assisted to the enterprise and practice devised for the overthrow of the Catholic religion, and tumult against the queen and Frenchmen, fearing themselves to be put at according to the laws and statutes." — History, 271. A little more particularity as to a matter so curious would have been desirable.

CHAPTER XXXVIII.

THE REFORMATION.

(Continued.)

POLITICAL POSITION OF THE REFORMATION QUESTION IN EUROPEAN POLITICS—ARRIVAL OF KNOX—CHARACTERISTICS OF HIS NATURE AND INFLUENCE—HIS COADJUTORS AND THEIR MOTIVES—MAITLAND OF LETHINGTON—THE FIRST BAND OR COVENANT—THE LORDS OF THE CONGREGATION EMBODIED—PRESSURE ON THE QUEEN-REGENT—HER DUPLICITY—THE FIRST OUTBREAK—ATTACKS ON THE SYMBOLS OF POPISH WORSHIP AND THE BUILDINGS OF THE RELIGIOUS ORDERS—CONSIDERATION HOW FAR THE RUINED CONDITION OF OLD ECCLESIASTICAL BUILDINGS IN SCOTLAND IS DUE TO THE REFORMERS—THE CONGREGATION AT PERTH—DEALINGS WITH THE REGENT—OCCUPATION OF EDINBURGH—CONDITION AND DANGERS OF ENGLAND—QUEEN ELIZABETH—KNOX AND THE “BLAST” AGAINST FEMALE RULE—CECIL AND KNOX IN TREATY—DIFFICULTY OF FINDING A LEGITIMATE HEAD TO TREAT WITH IN SCOTLAND—TREATY OF BERWICK—WAR—SIEGE OF LEITH—DEATH OF THE REGENT—DEPARTURE OF THE FRENCH, AND TREATY OF EDINBURGH—REFORMATION STATUTES.

THERE were early symptoms that Scotland would not struggle hard for the old religion. In 1542 a project already referred to was laid before the Estates, as a bill is now read in Parliament, authorising the common reading of the Scriptures, “baith the New Testament and the Auld, in the vulgar tongue, in Inglis or Scottis, of ane good and true translation.”¹ The Archbishop of Glasgow, on behalf of the clerical estate, protested against this measure until the question should be discussed at a

¹ Act. Parl., ii. 475.

general council; but it was adopted by the Estates. From 1554 to 1558—that is, during the reign of Queen Mary in England—many English converts to the doctrines of the Reformation thought it prudent to seek refuge in Scotland, where anything that had in it an element of opposition to the ruling power in England was still sure to find welcome. Among these was a distinguished preacher named Willock. John Knox, too, was virtually a fugitive from the same danger. He went first from England to France; but in 1555 he returned to Scotland, and there taught for a time, until, for reasons about which there has been much dispute, he went to take charge of the English congregation at Geneva. There was nothing in Scotland parallel to the English persecutions under Philip and Mary. The Scots looked upon the troubles there as on the work of their enemies, and would readily listen to Knox's sonorous denunciations of that wicked woman of Spanish blood who was persecuting the faithful.

It is of great importance, in understanding how the spirit of the Reformation was silently consolidating itself in Scotland, to keep in view that as yet the French connection, however distasteful it was becoming otherwise, did not of necessity involve hostility to the new doctrines. France, indeed, was that enemy—or at all events unsatisfactory servant—of the Popedom, which the Empire, Spain, and England had been united in holy league to bring to reason. Their religion hung lightly on the people, especially those of the higher and educated classes. The doctrines of the more moderate Reformers, which oozed into the northern provinces from England and Germany, were gaining on them before the cause was injured by the fiery and sanguinary zealots of the south. As yet the great discovery had not been made, that disloyalty to the Church was the partner of disloyalty to the Crown. This was a very significant discovery, for it involved the fate of France, and almost of Europe, for half a century. It was the stock-in-trade with which the great house of Guise worked. It enabled the head of that house to defy the sovereign, and almost drive him from the throne, the

house of Guise being more loyal to Church and King than the house of Valois itself. The conspiracy of Amboise may be dealt with as the turning-point at which the party of the league and that of the Huguenots appear to have taken up their respective positions, and this event dates in 1560. During the time of the persecution in England, therefore, the queen-regent had not received the hint from her brothers that the enemies of the Church of Rome were to be dealt with as enemies of the state. Indeed there is strong reason to believe that the information she gave of her experience in Scotland in the years 1559 and 1560, helped her brothers to that important conclusion. So little hostility did she at first show to the preachers of the Reformation, that she was supposed privately to favour them; and this supposition reacted on her, by deepening the charges of treachery to which she became amenable afterwards.

Queen Elizabeth had been scarce half a year on the throne when, on "the 2d of May 1559, arrived John Knox from France."¹ Such are the words in which he enters the event in his own chronicle. Henceforth for a time we live in the broad clear light of that wonderful book. There certainly is in the English language no other parallel to it in the clearness, vigour, and picturesqueness with which it renders the history of a stirring period. Whoever would see and feel the spirit of the Reformation in Scotland—and in England too, for that matter—must needs read and study it. The reader who may happen not to be a zealous Calvinist will deal with it as the work of a partisan. From first to last there is no mistaking it for anything else. It is throughout the living spirit of partisanship—strong, resolute, and intolerant. But, for all that, it is full of truth. In fact the author had achieved a perfection of positivism which is incompatible with dissimulation and concealment. Whatever is done by him and this is so absolutely right, and so valuable as an example and encouragement to others, that the more loudly and fully it is proclaimed to the world the better.

¹ History, i. 318.

Of all the revelations in this book, none is more remarkable than its writer's own character. His arrival in Scotland is an important event—all his doings are important in his own eyes, as well as in those of others. Whether it be for the adoration of the just or the malignity of the wicked, "John Knox" is ever the conspicuous figure in John Knox's book. When the regent, Mary of Lorraine, is seized with a fit of untimely exultation, it is against him that she flings. "She burst forth in her blasphemous railing and said, 'Where is now John Knox his God? My God is now stronger than his, yea, even in Fife.'"¹ Speaking of the last ecclesiastical council which attempted the internal reform of the Church, he says, "The bishops continued in their provincial council until that day that John Knox arrived in Scotland," as if this conjunction aggravated the audacity of their doings.²

The way in which he thus sets forth his motions, as if he were writing the biography of some great man whose deeds he had the good fortune to witness, might be called egotism or vanity in one less in earnest. But it all comes of natural impulse, and reads naturally. All the world is astir, and he, John Knox, is the centre of its motion. He was a man of thorough practical experience, who had seen life in all grades—from the court to the galley-slave's bench. He was signally acute in penetrating political mysteries, and unfolding the designs of men when these were hostile; but he was as signally blind to the true character of compliant or perfidious partisans. Working with greedy selfish men intent on their own aggrandisement, he deemed them to be as completely as himself under the influence of an unselfish religious spirit; and when the evidence of sordidness was all too flagrant, he turned his honest eyes on it with surprise, like one who beholds his sober sedate friend take suddenly to drinking, or go off in a fit of acute madness.

Although the spirit of the Reformation in Scotland cannot be felt without a full study of the works of Knox, yet his testimony must be limited to the part of the field of

¹ History, ii. 8.

² Ibid., i. 161.

battle in which he acted. He viewed the whole conflict as a triumph of the pure faith through its sole purity and acceptance with the Deity, and took little heed of the political and personal forces at work. Of these we form a livelier notion from the works of Sir David Lindsay, of which note is taken elsewhere. His attacks on the Church were earlier than Knox's, and indeed belong to a time when there was great danger for those who came within the ban of heresy. That this bold satirist and denouncer should have been spared when others less conspicuous and far less formidable suffered death, may at first sight be hard to account for, but is in reality very simple. In attacking the clergy for licentiousness, greed, and cruelty, he was but repeating what the authorities of the realm asserted and the Church itself mournfully confessed. Anything might be said to this purport, if he who said it were so skilful as to avoid points of heresy—such as the denial of purgatory, the real presence, and the intermediating power of the saints. To justify his burning, the heretic must have committed the sin which could only be expiated for his soul in the next world by the burning of his body in this.

When Knox arrived in Scotland, it was to take up the work where he had left it in 1556. It was scarcely then of sufficiently conspicuous magnitude to affect the tenor of history. It influenced private conferences, and sometimes broke out into polemical discussion. But it is in connection with the public influence of his return that these earlier doings become significant.

We have one of his earliest triumphs among the politicians of his country told by himself, and in the full spirit of his own temper and character. It is in the year 1555, when the Reformers, far from supremacy, have not even achieved toleration—when everything tended towards the supremacy of the Romish power, and the Protestant party in Scotland were coming to an understanding with each other in quiet secrecy, doing the while all they could through their external conduct to evade inquiry and notice. Among these Knox naturally found "divers who had a zeal to godliness make small scruple to go

to the mass, or to communicate with the abused sacraments in the papistical manner." The singleness of purpose that belonged to his infallibility rendered this intolerable, and he began, "as well in privy conference as in doctrine, to show the impiety of the mass, and how dangerous a thing it was to communicate in any sort with idolatry." His political coadjutors, who understood his vehement, intractable zeal much better than he understood their selfish aims, were disturbed by this. A conference was held at a supper in the house of Erskine of Dun, one of the few among the landed adherents of the Reformation who seems to have had religion at heart.

Knox had the advantage which the headstrong and single-purposed often have—the others must break with him, or submit. "The question was proposed, and it was answered by the said John, that nowise it was lawful to a Christian to present himself to that idol." He admits that there was much ingenious pleading for the "temporisers," and that especially they put forward very plausibly the precedent "that Paul, at the commandment of James and of the elders of Jerusalem, passed to the temple and feigned to pay his vow with others."¹ But Knox repudiated the precedent. Paying vows and attending mass were not the same thing. Then he greatly doubted "whether either James's commandment or Paul's obedience proceeded from the Holy Ghost." But his most telling point was, that the incident was recorded for a warning rather than an example; for, in reality, it preceded and was probably the source of

¹ This refers to the narrative in the latter portion of the twenty-first chapter of the Acts. When Paul, having come to Jerusalem, is told that a great crowd of Jews will gather, knowing of his arrival, and that from what they have heard of his attacks on the observances of the law they may be dangerous, the brethren recommend to him an act of conformity calculated for the time to disarm suspicion. "Do therefore this: that we say to thee: We have four men which have a vow on them; them take, and purify thyself with them, and be at charges with them, that they may shave their heads: and all may know that those things, wherof they were informed concerning thee, are nothing; but that thou thyself also walkest orderly, and keepest the law."

St Paul's danger and calamities. Both in broad determination of purpose and skilful Biblical criticism, he was master of the situation ; and he tells, with his usual chuckling exultation, how young William Maitland of Lethington, "a man of good learning, and of sharp wit and reasoning," admitted himself to be utterly defeated by Knox's reasoning, saying, "I see perfectly that our shifts will serve nothing before God, seeing that they stand us in so small stead before men."¹ He, and deeper men than he was, found that, if they were to get service from Knox to their cause at that juncture, they must go with him as far as he would drag them. In such times of revolution, the man who in quiet times would be counted an obstinate and troublesome enthusiast, taxing the dexterity of people to keep out of his way, if he is anything at all in the councils of his party, is its leader.

Few things have perhaps ever been said more insincere than the admission which thus imposed on a man whose sagacity in some directions was marvellous. The statesman found that at this time he must go with the stream of their absolute opinions, if he were to make a political use of Knox and his followers. They had other contests of wit, in which Maitland found it more suitable to cast a sneer at the absolute zeal of the polemical leader than to follow his dictation ; and then he would be commemorated, not in praise of his piety and docility, but in fierce rebuke for his worldliness and profanity. This young Maitland, also, had a character and a sphere of his own. He is well known in history simply as "Lethington," the name of his paternal estate. He was deep in all the political doings of that busy time, and perhaps knew more of its bloody mysteries than any other man. His name was a byword for subtlety and statecraft. Yet, though it ever comes up in connection with events as that of one supposed to pull the hidden strings, if we look at his life and conduct, we do not find that he was one of those who have left the mark of their influence upon their age. He appears to have been too artificial and techni-

cally subtle to have great weight. He was an accomplished scholar, and bethought himself to draw on the resources of his reading for political influence—to bring the sagacity of the whole world of political authors and actors to aid his own. But if it succeed elsewhere, that is not the teaching that makes strong-handed statesmen in this country. Craft and sagacity did much in Maitland's day ; but it was the craft and sagacity of those who were familiar with the political forces close at hand, and all the craft and wisdom of Machiavelli or Aristotle would have added little to their resources. Among men like these, the avowed scientific politician, whose intellect was stuffed with foreign subtleties, was a man to be feared and suspected. He was like an actor among men who seemed to follow where truth and nature led them ; and he was consequently more easily seen through than those who had not a like reputation for subtlety. Withal, he had great abilities, but they were rather those of the wit and rhetorician than of the practical man. He had marvellous and dangerous powers of repartee, and, like others so gifted, let fly the shaft when he had better have reserved it. We can see, in occasional growls of pain and wrath, how Knox himself winced under such punctures, and repaid them with solid blows.

Knox, on his second coming, was not uninvited. His presence, indeed, was urgently demanded, as that of one who had for a time deserted his post of honour and danger. There were several preachers dispersed over the country who were in use to gather the people and read to them the English service-book of King Edward. A considerable body of the landed gentry had an understanding with one another, as friends of the new religion. They soon saw that an ecclesiastical revolution would set free a great stretch of land for new owners. This, too, made a common interest, which held them firmly together when they professed a union for purely religious objects. In the winter of 1557 they adopted a plan which we have seen in practice in Scotland from a very early day. Many of them signed a band or bond to co-operate with each other for the purposes set forth in the document. This was termed

the First Covenant ; and as it is a short, expressive enunciation, it may be allowed to explain its own object :—

“ We, perceiving how Satan, in his members, the Antichrists of our time, cruelly doth rage, seeking to overthrow and to destroy the evangel of Christ and His Congregation, ought, according to our bounden duty, to strive in our Master’s cause even unto the death, being certain of the victory in Him. The which our duty being well considered, we do promise, before the majesty of God and His Congregation, that we (by His grace) shall with all diligence continually apply our whole power, substance, and our very lives, to maintain, set forward, and establish the most blessed Word of God and His Congregation ; and shall labour at our possibility to have faithful ministers purely and truly to minister Christ’s evangel and sacraments to His people. We shall maintain them, nourish them, and defend them, the whole Congregation of Christ, and every member thereof, at our whole powers and wearing of our lives, against Satan, and all wicked power that does intend tyranny or trouble against the foresaid Congregation. Unto the which Holy Word and Congregation we do join us, and also do forsake and renounce the congregation of Satan, with all the superstitious abomination and idolatry thereof : and moreover, shall declare ourselves manifestly enemies thereto, by this our faithful promise before God, testified to His Congregation, by our subscriptions at these presents. At Edinburgh, the 3d day of December 1557 years.”

Having met to subscribe this document, they passed two resolutions, in these terms :—

“ First, It is thought expedient, devised, and ordained, that in all parishes of this realm the Common Prayer be read weekly on Sunday, and other festival days, publicly in the parish churches, with the lessons of the Old and New Testament, conform to the order of the Book of Common Prayer. And if the curates of the parishes be qualified, to cause them to read the same ; and if they be not, or if they refuse, that the most qualified in the parish use and read the same.

“ Secondly, It is thought necessary that doctrine, preach-

ing, and interpretation of Scriptures be had and used privately in quiet houses, without great conventions of the people thereto; until afterward that God move the prince to grant public preaching by faithful and true ministers."

The first occasion on which the Protestants came forth as a public power in the state, and had anything resembling a contest with their natural enemies, was in 1558. The affair is thus narrated by Knox:—

"They kept their conventions, and held councils with such gravity and closeness, that the enemies trembled. The images were stolen away in all parts of the country; and in Edinburgh was that great idol called St Giles first drowned in the North Loch, after burnt, which raised no small trouble in the town. For the friars rowping like ravens upon the bishops, the bishops ran upon the queen, who to them was favourable enough, but that she thought it could not stand with her advantage to offend such a multitude as then took upon them the defence of the evangel, and the name of Protestants. And yet consented she to summon the preachers; whereat the Protestants, neither offended, nor yet thereof afraid, determined to keep the day of summons, as that they did. Which perceived by the prelates and priests, they procured a proclamation to be publicly made, 'That all men that were come to the town without commandment of the authority, should with all diligence repair to the borders, and there remain fifteen days;' for the Bishop of Galloway, in this manner of rhyme, said to the queen, 'Madam,

' Because they are come without order,
I rede ye, send them to the border.'

Now so had God provided that the quarter of the Westland (into the which were many faithful men) was that same day returned from the border, who, understanding the matter to proceed from the malice of the priests, assembled themselves together, and made passage to themselves, till they came to the very privy-chamber, where the queen-regent and the bishops were. The gentlemen began to complain upon their strange entertainment, considering that her grace had found into them so faithful obedience in all things lawful. While that the queen began to craft, a

zealous and a bold man, James Chalmer of Gadgirth, said, 'Madam, we know that this is the malice and devise of the jefwellis, and of that bastard (meaning the Bishop of St Andrews) that stands by you. We avow to God we shall make ane day of it. They oppress us and our tenants for feeding of their idle bellies; they trouble our preachers, and would murder them and us. Shall we suffer this any longer? No, madam; it shall not be.' And therewith every man put on his steel bonnet. There was heard nothing of the queen's part but 'My joys, my hearts, what ails you? Me means no evil to you nor to your preachers. The bishops shall do you no wrong. Ye are all my loving subjects. Me knew nothing of this proclamation. The day of your preachers shall be discharged, and me will hear the controversy that is betwixt the bishops and you. They shall do you no wrong. My lords,' said she to the bishops, 'I forbid you either to trouble them or their preachers.' And unto the gentlemen, who were wondrously commoved, she turned again, and said, 'O my hearts, should ye not love the Lord your God with all your heart, with all your mind? and should ye not love your neighbours as yourselves?' With these and the like fair words she kept the bishops from buffets at that time."¹

The burning of Walter Mill was a sort of declaration of war, rousing the Protestant party to wrath and action. The leaders now called themselves "The Lords of the Congregation," and in that capacity laid a remonstrance before the regent charging the Church with cruelty. "There abideth," they said, "nothing for us but fagot, fire, and sword, by the which many of our brethren most cruelly and most unjustly have been stricken of late years within this realm, which now we find to trouble and wound our consciences; for we acknowledge it to have been our bounden duties before God, either to have defended our brethren from these cruel murders, seeing we are a part of that power which God hath established in this realm, or else to have given open satisfaction of our faith with them, which now we offer ourselves to do, lest that by our continual silence we shall seem to justify that cruel tyranny."

They then demanded a reformation of abuses, and the establishment of religion on the basis of their bond and resolutions.¹ The queen-regent received this and other remonstrances courteously, and pressed nothing against them but moderation and delay. Her winning pleasant manner had great influence over those she spoke to; and it was chiefly owing to a reliance on her good feeling that the meeting of the Estates, in the winter of 1558, passed over without a fierce discussion of the great question. Knox even was won by the gentleness of her dealing and its tone of sincerity. "In public letters," he says, "to that excellent servant of God, John Calvin, we did praise and commend her for her excellent knowledge of God's Word, and goodwill towards the advancement of His glory, requiring of him that, by his grave counsel and godly exhortation, he would animate her grace constantly to follow that which godly she had begun." It was to his after-mortification that he went still farther, and did "sharply rebuke both by word and writing all those who appeared to suspect in her any venom of hypocrisy, or were contrary to that opinion which we had conceived of her godly mind."²

De Béthencourt soon afterwards arrived as ambassador from France, now closely knit to Scotland by the recent marriage; and it is supposed that he expounded to the queen-regent the policy of her brothers, which was to be war—a deadly, unsparing war—with the propagators of the new opinions. In the words of Knox, "Then began she to frown, and to look frowardly to all such as she knew did favour the evangel of Jesus Christ. She commanded her household to use all abominations at Pasche; and she herself, to give example to others, did communicate with that idol in open audience. She comptrolled her household, and would know where that every one received their sacrament. And it is supposed that after that day the devil took more violent and strong possession in her than he had before; for, from that day forward, she appeared altogether altered, insomuch that her countenances and

¹ History, i. 302; Calendar of State Papers, 7. ² History, i. 315.

facts did declare the venom of her heart."¹ It is just at the same time—in January 1559—that we find the suggestions of an alliance with England taking shape.

Arran, now called Duke of Chatelherault, or "The Duke," had a meeting with Sir Henry Percy, in which the position of England and Scotland was discussed. The duke admitted that the connection with France was becoming oppressive to Scotland. He said the old enmity to England was dying out; and he mentioned, as an instance of this, how the queen-regent had lately ordered a Scots army to invade England, but that, acting otherwise in all duty, they had refused to cross the border, as not a service demanded by their feudal duty. Sir Henry Percy spoke of the favour which England bore to the right-thinking portion of the Scots. The realm was suffering too much, however, from the consequences of the late reign to offer any assistance in the mean time, and nothing was concluded between the two representatives.² The old project for a marriage of Queen Elizabeth to the duke's son, now Earl of Arran, was renewed. The father was not a man likely to press such a matter, or plot ingeniously in its favour. The proposition was simply made, and courteously declined by the queen.

That ecclesiastical council of 1559 which attempted the adjustment of projects of internal reformation in the Church was then assembled in the hall of the Dominican monastery at Edinburgh.³ It rose on the 10th of April, and adjourned until Septuagesima Sunday of the year 1560; but never met again. The projects entertained and those adopted, with their relations to each other, might have become an important chapter in ecclesiastical history; but all was swept away by the torrent from without. It has been generally understood that the regent laid the demands of the Reformers before this council.⁴ We have seen that there came before the council certain propositions, offered by those well affected to the Church,

¹ History, i. 315.

² Calendar of State Papers (Foreign), 1559, 98.

³ See above, chap. xxxvii.

⁴ McCrie's Knox, Works, i. 123; Grub, Ecclesiastical History.

who pleaded for internal reformation. These are respectfully recorded ; but the proceedings of the council bear no reference to any proposals by a hostile body.¹ Hence it would appear either that the regent did not, in an official form and from authority, desire the attention of the council to the demands of the Protestants ; or that, if she did so, the council took no formal notice of the document laid before them.

They knew that she was prepared to back them in resistance to the new force, and it was during the sitting of the council that she was observed to take an attitude of distinct hostility to the Reformers. A deputation from the Congregation touched on the symptoms of her change of policy, and reminded her of the encouragement which she had given to the cause of the Reformation. It was to these visitors that she was accused of making the too characteristic remark, that "it became not subjects to burden their princes with promises further than it pleaseth them to keep the same." She was about to give a still clearer example of her opinions on this head. She cited certain of the preachers to appear before the Privy Council at Stirling to answer for their conduct. A large body of men of influence were prepared to accompany them, and assembled at Perth for the purpose. The regent begged that they would abandon their project, and return home ; and to induce them to do so, she promised to withdraw the citations. They dispersed accordingly, but she had no intention of keeping her promise. The names of the ministers cited were called in court in the usual manner ; and as they did not appear, they were treated as fugitives from justice, and in common form outlawed and proclaimed as rebels. News of this came to Perth, where still there was a remnant of the gathering, who were hearing John Knox preach and exhort ; and here came the first outbreak of popular reforming zeal into actual violence. The scene may best be told in Knox's own words :—

"The manner whereof was this : the preachers before

¹ See the Record in *Statuta Ecclesiæ Scoticanæ*, li. 146 *et seq.*

had declared how odious was idolatry in God's presence ; what commandment He had given for the destruction of the monuments thereof ; what idolatry and what abomination was in the mass. It chanced that the next day, which was the 11th of May, after that the preachers were exiled, that after the sermon, which was vehement against idolatry, that a priest in contempt would go to the mass ; and to declare his malapert presumption, he would open up ane glorious tabernacle which stood upon the high altar. There stood beside certain godly men, and amongst others a young boy, who cried with a loud voice, ' This is intolerable, that when God by His Word hath plainly damned idolatry, we shall stand and see it used in despite.' The priest, hereat offended, gave the child a great blow, who in anger took up a stone, and, casting at the priest, did hit the tabernacle, and broke down ane image ; and immediately the whole multitude that were about cast stones, and put hands to the said tabernacle, and to all other monuments of idolatry, which they despatched before the tentmen in the town were advertised (for the most part were gone to dinner), which noised abroad, the whole multitude convened, not of the gentlemen, neither of them that were earnest professors, but of the rascal multitude, who, finding nothing to do in that church, did run without deliberation to the Grey and Black Friars', and, notwithstanding that they had within them very strong guards kept for their defence, yet were their gates incontinent burst up. The first invasion was upon the idolatry, and thereafter the common people began to seek some spoil ; and in very deed the Grey Friars' was a place so well provided, that unless honest men had seen the same, we would have feared to have reported what provision they had. Their sheets, blankets, beds, and coverlets were such as no earl in Scotland hath the better ; their napery was fine. There were but eight persons in convent, yet had eight puncheons of salt beef (consider the time of the year, the 11th day of May), wine, beer, and ale, besides store of victuals effeiring thereto. The like abundance was not in the Black Friars', and yet there was more than became men professing

poverty. The spoil was permitted to the poor; for so had the preachers before threatened all men, that for covetousness' sake none should put their hand to such a reformation, that no honest man was enriched thereby the value of a groat. Their conscience so moved them that they suffered those hypocrites take away what they could of that which was in their places. The Prior of Charterhouse was permitted to take away with him even so much gold and silver as he was well able to carry. So was men's consciences before beaten with the Word that they had no respect to their own particular profit, but only to abolish idolatry, the places and monuments thereof, in which they were so busy and so laborious that within two days these three great places, monuments of idolatry—to wit, the Grey and Black thieves, and Charterhouse monks (a building of a wondrous cost and greatness)—was so destroyed that the walls only did remain of all these great edifications."¹

This passage introduces us to a notorious feature of the Scottish Reformation—the destruction that befell the monuments of early ecclesiastical architecture throughout the country. Two conditions are apt to give an exaggerated notion of the destruction perpetrated by these Reformers. One is the frank admission of Knox, that his followers heartily set their hands to demolition. The other is the total disappearance of many ecclesiastical buildings, and the mere ruinous shreds which show where others existed. Tradition, too, has joined to swell the charge against the iconoclasts, or to enhance their glory as it may be otherwise put. Round the ruins of multitudes of Gothic churches there crowd traditions of the righteous Reformers destroying the citadels of superstition and infamy. Even in far Iona we are asked to believe that a mob tore to pieces great masses of Norman masonry, and that they even carried off some hundred or so of monuments.

But there were other elements of destruction. The most merciless has been mere neglect. In England, the

Reformation was not antagonistic to the old buildings and the old forms; in Scotland it was. Ecclesiastical architecture came to a stand in 1560. It seemed as if necessity only would make people submit to worship in the fanes of the old religion, and they raised no new buildings after the same model. The churches thus fell to pieces from exposure and neglect. The several stages of destruction from this cause passed unnoticed. After many years perhaps the roof would give way, then the wet getting into the chinks of the stones the walls would fall piecemeal, so the pillars, and in the end all would be a heap of rubbish, becoming more and more chaotic, until, on the revival of the love of Gothic architecture, within the memory of the present generation, the Government made an effort to preserve such fragments as could be saved. Among all the great churches of Scotland the most nearly obliterated is that of Elgin. Yet we know from old prints that about the time of the Revolution its walls were complete, and the progress it had made towards destruction went no farther than the falling-in of the roof.

The Reformation mobs, in their destruction of everything savouring of idolatry, destroyed not merely the gaudy and valueless symbols by which the Church of Rome strove to impress the minds of the ignorant, but a deal of the fine interior decorative masonry of the first pointed and the flamboyant styles, which are now so much prized. But beyond things thus savouring of idolatry, the fabric of the churches did not excite their destructive indignation. The cloisters and other dwelling-places of the regulars, however, did. These were, in a manner, fortresses of the enemy. Hence we must believe in the destruction of the monasteries at St Andrews and at Perth as described by Knox, as well as of many others.¹

¹ ~~Miller~~, on the 29th of September 1559, when he announces the arming of the Lords of the Congregation and his information on the matter from his spy, says, "He told us also that they had suppressed the Abbeyes of Paisley, Kilwinning, and Dunfermline, and burned all the images, idols, and Popish stuff in the same."—State Papers, i. 468

It is noticeable at the present day that, even where the churches of the monastic houses still exist, the remnants of the cloisters and other domestic buildings which had surrounded them are extremely scanty.

We have, in one instance at least, the formal instruction under which the sweepers-away of the matter of offence did their work. It refers to the Cathedral of Dunkeld. That building as it now stands, no doubt, bears mark of rough handling; but it probably suffered more injury in standing a siege of Highland Jacobites after the Revolution than it received from the Reformers. At all events, the Directions, while they contain a full and hearty licence for the destruction of images, altars, and all monuments of idolatry, profess carefully to guard against any injury either to the stone or wood work of the fabric of the church.¹

In the history of the invasions directed by King Henry and Somerset, we have seen enough to account for large items in the ruin that overcame ecclesiastical buildings in Scotland. For Melrose, Kelso, Jedburgh, and the many other buildings torn down in these inroads, the Scots Reformers have no censure to incur beyond that of neutrality or passiveness. The ruined edifices were not restored, as they naturally would have been had the old Church remained predominant.

Knox, and those who followed him for conscience' sake, had not intended that their followers should perpetrate even what mischief befell; but once done, and done in the cause, they were not to disavow it or abandon those coadjutors whose only defect was a superabundance of

¹ The authority subscribed by Argyle and Ruthven on 12th August 1560, requires the Lairds of Airtully and Kinvaid "to pass incontinent to the Kirk of Dunkeld, and tak down the haill images thereof, and bring furth to the kirkyard, and burn them openly! And siclyke cast down the altars, and purge the kirk of all kinds of monuments of idolatry; and this ye fail not to do as ye will do us singular empleaseure, and so commits to the protection of God. Fail not but ye tak good heed that neither the desks, windocks, nor doors be onyways hurt or broken, either glassin work or iron work."—Statistical Account of Scotland, x. 976.

zeal. And, besides, might not the finger of God have been shown in the method of the destruction of idolatry? and was it for them to question His will, or the method in which He fulfilled it? They issued several manifestoes—to the regent, to the French commanders, and to others—all casting defiance, and standing on the argument, which never can be refuted, that their work was sanctified, and that they must continue to serve God rather than man. The briefest and perhaps the most characteristic of these documents is the following:—

“To the generation of Antichrist, the pestilent prelates and their shavelings within Scotland, the Congregation of Christ Jesus within the same sayeth—

“To the end that ye shall not be abused, thinking to escape just punishment, after ye in your blind fury have caused the blood of many to be shed, this we notify and declare unto you, that if ye proceed in this your malicious cruelty, ye shall be entreated, wheresoever ye shall be apprehended, as murderers and open enemies to God and unto mankind; and therefore betimes cease from this blind rage. Remove first from yourselves your bands of bloody men of war, and reform yourselves to a more quiet life; and thereafter mitigate ye the authority which, without crime committed upon our part, ye have inflamed against us; or else be ye assured that, with the same measure that ye have measured against us, and yet intend to measure to others, it shall be measured unto you—that is, as ye by tyranny intend not only to destroy our bodies, but also by the same to hold our souls in bondage of the devil subject to idolatry, so shall we, with all force and power which God shall grant unto us, execute first vengeance and punishment upon you; yea, we shall begin that same war which God commandeth Israel to execute against the Canaanites—that is, contract of peace shall never be made till that ye desist from your open idolatry, and persecution of God's children. And this we signify unto you, in the name of the Eternal God, and of His Son Christ Jesus—whose verity we profess, and gospel we have preached, and holy sacraments rightly administered—so long as God will assist us to gainstand your

idolatry. Take this for advertisement, and be not deceived." ¹

This was the critical point in the contest, and it may safely be said that, if the queen-regent had kept her promises, and had not attempted to carry her point by French money and French troops, the Reformation in Scotland would have borne a character different from what it actually took. Argyle, the Lord James Stewart, afterwards Earl of Murray, Lord Semple, and other men of mark of the party of the Congregation, joined the regent, to show their respect for law and order; and had they found her faithful to the moderate courses which she readily promised, they might have remained by her side. The Congregation strengthened themselves in Perth, and a French force marched to Auchterarder, fifteen miles southward of them. A battle was imminent. Argyle, the Lord James, and Semple went to commune with the Protestants, and had much talk with Knox, in which they found that the yielding of any point on that side was a hopeless expectation. Towards the maintaining of moderation on the other side, however, there came to their assistance an unanswerable argument in a small army of two thousand five hundred men, brought to the aid of the Congregation by Lord Glencairn. The enemy now came to terms, which were a distinct triumph to the Congregation. They were that—

"1. Both the armies shall be disbanded, and the town left open to the queen.

"2. None of the inhabitants shall be molested on account of the late alteration in religion.

"3. No Frenchman shall enter the town, nor come within three miles of it; and when the queen retires, no French garrison will be left in the town.

"4. That all other controversies be left to the next Parliament." ²

The Congregation dispersed from Perth; but ere they went, Knox preached a sermon, in which he said,

¹ Printed in Keith, 87; Knox (History), i. 335; and elsewhere.

² Keith, 89.

"I am assured that no part of this promise made shall be longer kept than till the queen and her Frenchmen have the upper hand." He was quite right—the articles were preadjusted with a defect which gave the means of discarding them. The Congregation knew that the regent could not levy a feudal force for her purposes, and they thought themselves safe if no French force could be brought against them. But the regent had French money, and with that she hired a native force to garrison Perth, and went thither with a French force under D'Oysel—they were her body-guard, and not a garrison. The Congregation counted that the stipulation not to "molest" the inhabitants was grossly violated.

This affair gave sudden strength to the Reformers, like a rush of new blood. The influential men who had departed from them for a while came back, and multitudes flocked to them from distant places. They invaded St Andrews. The archbishop threatened a vigorous resistance, but found it hopeless. Knox preached, and his sermon was followed by the usual demonstration against idolatry, and the wrecking of the religious houses. The queen's army marched from Linlithgow to sweep them away, but St Andrews was found to be well fortified and strongly garrisoned. Again there were treaty and stipulations. No Frenchmen were to remain in Fifeshire, and certain commissioners were to be appointed by the regent to adjust final terms with the leaders of the Congregation. No such commissioners were appointed, however, and it became clear that the regent was working for delay up to the time when a fresh force should arrive from France. On the 29th of June 1559, the Congregation struck a decisive blow by marching on and occupying Edinburgh, whence the Court and the French had to retire.

It was charged against the new occupants that here they took on themselves to perform some of the functions of a government; for instance, that they took and used the coining irons, or the dies of the national mint. They had, doubtless, done enough to cost them all their heads, if their enemies had power to work their will on

them. But there was more yet to come. On the 23d of October 1559, a solemn proclamation professed to depose the regent. It was issued with the nearest practicable approach to Parliamentary form. The spiritual lords of the estates were not parties to it, but the burghs were represented ; and the whole body set forth that they acted in "our sovereign lord and lady's name," "whose council we are of native birth in the affairs of this our common weal."

The regent and her party took no notice of this document. In the quietness of inaction, some of the Protestants repented of their course and dropped off. Most conspicuous among these was the wavering duke. Yet the moment should have beep one to excite his interest. The driving forth of the Jezebels, mother and daughter, and a change in the succession of the crown, were freely talked of. The natural channel to shift the succession into was the house of Hamilton. Young Arran, the heir of that house, was then in France. It was deemed of moment that he should make his appearance in Scotland, and he escaped from France and wandered northward through England in disguise. There is a romantic legend that he thus providentially preserved his life, for the Guises had resolved to strike some distinguished members of the Reform party, and he was selected as the first victim.

It was evident, however, that, when a French army arrived, the cause would be lost unless England came to the rescue. In existing conditions, the policy of that step was undoubted ; but for the same reason, interference at the present stage would be the admission of principles against which Queen Elizabeth had a horror. She was a champion of the divine right of sovereigns. She felt that her own right required every sanction she could get, and it might be a precedent to react on herself were she to countenance subjects in opposing their sovereign. It might be otherwise if there were disputed claims, and a legitimate leader to be acknowledged. We shall see how far these demands were supplied by the ingenuity of English statesmen ; but to the end the countenancing of

opposition to a crowned and anointed queen was a difficulty.

Cecil set his wisdom to work upon the difficulty in "a short discussion of the weighty matter of Scotland," dated in August 1559. In his perplexity he had recourse to some views which at this day sound grotesquely when connected with so great a name for sagacity. He proposed to set to work the claim of feudal superiority over Scotland, but after an original plan. It was not for the purpose of subjugating the country to a foreign yoke, after the example of King Edward, but that the people might be relieved by the masterful exercise of English power from the foreign yoke now holding them, and might be restored to their native customs and their liberties. But after all, perhaps, looking at it from Cecil's side, the scheme was not so mad as it appears. He, no doubt, seriously believed in the superiority; for being, as he was, a busy man, if he looked into the documents relating to the matter, he would find at that time the whole story in a very complete form, and supported by abundance of records which he would have no reason to distrust, though they have been since denounced as forgeries.¹ After he had got some experience of the

¹ "The crown of England hath a just and unfeigned title, of longer continuance than the friendship betwixt Scotland and France, unto the superiority of Scotland; and for the right thereof, it is as good, and in some respect better, than the right of the French queen to the realm of Scotland, as hereafter shall appear. To prove the antiquity and continuance of the right of this superiority, remain good, ancient and abundant stories; and which is the best proof, the authentic and manifest writings under the seals of Scotland, declaring from age to age, from king to king, from parliament to parliament, the homages done to the kings of England by the kings of Scots; coming sometimes to York, sometime to London, sometime to Lincoln, sometime to Canterbury. By which title of superiority, the crown of England hath upon differences decided the controversies, and appointed the crown of Scotland as to it was thought fit. And by this title and dignity doth the French queen, as Queen of Scots, owe homage to the crown of England; and so consequently ought the crown of England to defend the liberties, the laws, the baronage, and people of Scotland, from oppression; and that in honour and conscience, no less than the emperor ought to defend the state of Milan, or the

country he was dealing with, Cecil was wise enough to keep silence on the question of the superiority. Intercourse with practical Scotsmen made him better acquainted with the political conditions. Early in the year we find him in communication with Kirkcaldy of Grange. That ardent and ambitious young man is among the first to strike the key-note of the great change in the national sentiments—terror of France, and a desire for common cause with England. We find the Scotsman pressing on the English statesman the danger of both countries, and the infinite importance of England securing the aid of a people who had heretofore been true to themselves, and would be true to their ally in the hour of danger.¹

There was one thing of vital importance to the views of Cecil and his fellow-statesmen of England—they must secure the hearty co-operation of John Knox. His own temper and capacity, working under peculiar political conditions, had raised up the preacher to be one of the dictators of the political movements of Europe. Envoyed by perils as Elizabeth's Government was, to secure the help of Scotland was an object almost vital. The new party there were influenced by many motives arising from selfish hate and greed; but the cry which united them as a power was the "evangel" of the Reformation, and of that Knox was master. If the self-seeking aristocracy did not satisfy him that their zeal in this cause was orthodox and sufficient, he could break up

kingdom of Bohemia, being vassals to the empire. And therefore, if it may appear that the French king, by pretence of the marriage of an heir of Scotland, will alter the laws, liberties, and customs of Scotland, and will subvert the lawful heirs of the Scottish blood to the crown, and deprive the barons and states of the realm of their inheritance, whereby the French nation and blood may possess that land; then the crown of England is bound in honour and conscience to defend and protect the realm of Scotland against the French. And so doth the first question alter in the most principal point; for then is not the case betwixt subjects and a natural prince, but betwixt a superior king and a realm of the one part, and an inferior king alone joining with strangers on the other part."—Sadler State Papers, i. 378, 379.

¹ Calendar of State Papers, 1558-59, 385.

their power ; and nothing would prevent him from doing so, if he so willed. He must, if possible, be made to see, then, that his own cause and that of England were one. It would not suffice to show him that worldly prudence suggested this union of forces—worldly prudence might go to the winds ; but he might be made to see that a junction of forces between the English Government and the Scots Reformers was the shape which the ways of Providence were taking towards the blessed result.

To deal with one so absolute in his own spiritual empire demanded caution and patience. Cecil seems to have required all the training to the ways of a pliant statesman, which his experience of Henry and his daughter had given him, to endure arrogance and dictation from so unwonted a quarter. He got a scolding, after Knox's peculiar manner, to begin with. It has generally been thought that Cecil behaved with unexpected spirit when he retired from Court during the reign of Mary Tudor, carrying with him the avowal of Protestantism. This did not satisfy Knox ; he should have lifted his testimony against the Jezebel, and he is told, "As the benefit which ye have received is great, so must God's justice require of you a thankful heart ; for seeing that His mercy hath spared you being traitor to his majesty—seeing, further, that amangs your enemies He hath preserved you—and last, seeing, although worthy of hell, He hath promoted you to honour and dignity,—of you must He require, because He is just, earnest repentance for your former defection, a heart mindful of His merciful providence, and a will so ready to advance His glory, that evidently it may appear that in vain ye have not received these graces of God to performance whereof, of necessity it is, that carnal wisdom and worldly policy—to the which both ye are bruited too much inclined, give place to God's simple and naked truth."¹

Whatever of this kind, however, Cecil had to bear, was a trifle to another difficulty. His wilful mistress hated

¹ History, li. 17, 18.

Knox for that book of his against the right and the capacity of women to govern. It was necessary that he should do something to appease her on this point, but would he do it? To men with ordinary motives the opportunity was a brilliant one; the denouncer of feminine rule had only to say that he had drawn his philosophy from bad examples—he was fallible, like all men—he had now seen a brilliant reverse of the wretched experience on which he had drawn, and must recant his broad conclusions. It soon became apparent that anything like this was hopeless. The Reformer had many times to admit, with due sorrow, that he had been deceived in the character of individual men who had professed zeal in the great cause and afterwards abandoned it. But that he, John Knox, should admit himself to have been fallible in a broad declaration of doctrine—as soon expect the holy Court of Rome to drop the keys of St Peter, and recant its whole traditions as wretched fallacies! He stood by what he maintained to the utmost. He heard that a refutation of his doctrine was to appear: let the author of such an attempt beware, lest it call forth a more conclusive denunciation, for he must stand by the truth.

Yet he could not but feel that it was through Elizabeth that his great cause could triumph—that it could even escape destruction; and that no other power seemed destined for its work save this which he had denounced as a kind contrary to the Word of God. He had a remedy, however, and it was as strange and original as everything about the man. It was, in a manner, breaking through the difficulty instead of solving it. He offered to the queen, in his own fervent style, such devotion as is due to a beneficent and powerful human being. He admitted that she was the chosen instrument for the work of the gospel. But it was a special act of Providence—a sort of miracle—accomplishing a great end by the smallest and basest of human means. All would go well, if she would feel the due humility of one selected for her nothingness rather than her eminence. So it behoved her to remember that it was not her Tudor descent, nor yet

her wisdom or ability, that had any concern with the exalted work on hand, and to demean herself with a humility befitting the occasion. At least this appears to be the tenor of his explanation to Cecil, and of a letter to the queen herself.¹

In this latter document he put the hardest pressure on his nature, to draw from it something soothing and satisfactory; and when we consider that nature, he was wonderfully successful. He cheers her with the expectation that all shall go well if, forgetting her birth, and "all

¹ "The wretting of that booke I will nott deny, but to prove it treasonable I think it salbe hard. For, sir, no more do I doubt of the treuth of my principall propositioun, then that I doubt that was the voce of God which first did pronounce this penaltie aganis woman, 'In doloure sall thou beare thy chyldrein.' It is bruiited that my booke is or salbe writtin against. If so be, sir, I greatlie feare that flattereris sall rather hurte nor mend the mater, which thei wald scame to mainteine; for, except that my error be plainlie schawin and confured be better authoritie then by suche lawis as frome yeir to yeir may and do change, I dar nott promitt silence in so wechtie a besines, leist that in so doing I sall appear to betray the verretie whiche is not subjected to the mutabilitie of tyme. And if ony think me ather ennemye to the persone or yet to the regiment of her whome God hath now promoted, thei are utterlie deceived of me. For the miraculouse wark of God, comforting His afflicted by ane infirme veschell, I do acknowledge, and the power of His most potent hand (raiseing up quhome best pleiseit His mercie to suppress such as fecht aganis his glorie) I will obey, albeit that boyth nature and Goddis most perfyt ordinance repugne to suche regiment. Moir plainlie to speik, if Quene Elizabeth sall confesse that the extraordinarie dispensatioun of Goddis great mercie macketh that lauchfull unto her whiche boyth nature and Goddis law do deny to all women, then sall non in England be more willing to mainteine her lauchfull authoritie then I salbe; but if (Goddis wonderouse werk sett asyd) scho ground (as God forbid) the justnes of her title upoun consuetude, lawis, or ordinances of men, then I am assured that, as suche foolishe presumpcioun doeth heyghlie offende Goddis supream majesty, so do I greatlie feare that her ingratitude sall mocht lang lack punishement. And this in the name of the Eternall God, and of His Sone Jesus Chryst (befoire quhome boyth you and I sall stand, to mak accomptes of all counsall we geve), I require you to signifie unto her grace in my name; adding, that onlie humilitie and dejection of herself before God salbe the firmitie and stabilitie of her throne, quhilk I knaw sall be assaulted mo^e wayis then one."—History, ii. 20, 21.

title which therefrom doth hang," she, with due humility, remember that her power is held of special dispensation, "which only maketh lawful to your grace what nature and law denieth to all women."¹

Cecil managed in the end that Knox should be propitiated, and even that attention should be shown to his wife on her way through England from France to Scotland. It was proposed that there should be an interview between the two great powers at the minister's country mansion of Hatton, in the very centre of England. Whether there was danger, or other reason against it, no such meeting could be held. It had to suffice that Knox should meet the Governor of Berwick on Holy Island. There they had an instructive conference. Knox did not enlarge on the topics which charmed his audiences from the pulpit ; but put it plainly, that Scotland wanted men and money from England, with the assistance, if possible, of a fleet.

Cecil, and other advisers of Queen Elizabeth, strongly pushed this policy. They represented that the opportunity for severing Scotland from France, and securing as a friend the worst enemy of England, had now at last come, and might pass. It was an object on which money ought not to be spared. The queen, who was keenest of all for setting this barrier against France, yet was, from her odd contradictory nature, the impediment to any fair, open-handed help to the Scots in their extremity. She suggested many things that her advisers might do as "from themselves." Among these was the advancing of the money ; it would come better from them as private persons having sympathy with the Scots, than if it came from the English Government. But they knew that not only were they unlikely to be repaid their advances, but if matters took an awkward turn, they might be delivered over, without remorse or hesitation, to be dealt with by the English treason laws. Among other clumsy pieces of trickery suggested, one was that an army should assemble in the north, and, without instructions from the English Government, cross the border as sympathisers with the Scots cause. They would

¹ History, ii. 29, 30.

then be proclaimed traitors for attacking a state at peace with England, and, unable to return, would have nothing for it but to fight out a position for themselves in Scotland; but no body of men thought proper to put themselves in this complex and peculiar position.

At length, on the 20th of August, Sir Ralph Sadler was sent to the borders to hold communication with the Lords of the Congregation. He was intrusted with three thousand pounds, but he represented that this would merely be so much money wasted if more were not sent. A larger sum was afterwards sent, but the bearer of it fell into the hands of the notorious Bothwell, who had much occasion for such a fund for his own uses. Sadler found political conditions directly the reverse of those he had seen sixteen years earlier. Then, there was dread of England, and the French alliance was all popular; now the current was running rapidly the other way, and he found some politicians helping it onwards. "It seemeth," he says, "they make little or no account of the French power, which is looked for out of France, willing that the same should rather come than not; for, as the number cannot be great, so think they that the same should so stir and irritate the hearts of all Scotsmen as they would wholly and firmly adhere and stick together, whereby their power should so increase as they should be well able both to expel the French out of Scotland and also better achieve the rest of their whole purpose."¹ If this was the view held by the Scots Protestants, it is certain that they were far less frightened than Queen Elizabeth's Privy Council, whose view of the prospects of both countries is thus set forth with gloomy brevity. "They think that the French mean, after their forces are brought into Scotland, first, to conquer it—which will be neither hard or long to do—and next, that they and the Scots will invade this realm, principally upon the north parts."²

¹ Sadler State Papers, i. 400.

² Privy Council to Queen Elizabeth, 24th Dec. 1559; Calendar of State Papers (Foreign), 221.

Meanwhile the Lords of the Congregation, their people dropping off from time to time, found themselves too weak to hold Edinburgh against such a force as the queen-regent could bring against it. Again there was treating, but with merely temporary aims, and charges that promises were not kept. The Lords of the Congregation retired westward. There came then an addition of a thousand troops to the French force, and a fortress or intrenched camp of great strength was constructed by them at Leith. There the regent, with her army, held out, abiding events, vainly besieged by the Congregation. These noticed, and reported to their friends in England, some very menacing feature of the new influx of French troops. They seemed to come, not for a campaign, and its mere fighting-work, but for permanent establishment in the country. These features were described as "the inbringing of soldiers, with their wives, bairns, and instruments for manuring the ground, such as ploughs and suchlike, and for assaulting strengths, such as mattocks, spades, &c." ¹

The Congregation were joined, at this emergency, by an important deserter or refugee—Maitland of Lethington—whose character has been already discussed. Young as he then was, he was deemed a match for Cecil, as a sagacious, long-headed politician. He had given, he said, unpalatable advice to the queen-regent, to whom he was secretary of state, and he considered himself no longer safe in the camp at Leith. He undertook to do the business of the Congregation in England; and one like him, who had held high office in Scotland, was likely to have double influence.

In January 1560 a treaty was adjusted between Queen Elizabeth and the Congregation, called the treaty of Berwick. In a thing so unprecedented as combining with England against France, the Scots felt something like the misgiving that attends great changes of policy; and they showed their jealousy to the last in the punctiliousness with which they insisted on their dignity and equality.

¹ Calendar of State Papers (Foreign), 1559, p. 225.

They would not go to England, but met the English on benches erected in the middle of the Tweed, where it was the national boundary ; and the English complained that from one cause or another, and especially the excessive vigilance of the Scots in guarding their punctilios, they were at last taken over to treat on Scots ground.

This treaty of Berwick required very subtle diplomatic handling. It was, in reality, an arrangement to which the parties were—on the one side, the English emissaries, sent to watch the affairs of Scotland ; and, on the other, that body called the Lords of the Congregation, who were at war with the representative of their sovereign. But if it were a treaty, it must be between royalties ; and how were they to be brought into it ? Queen Elizabeth was to be the one party—but where was the other party to be found ? The treaty on the English side was ratified by the Duke of Norfolk “in the name and behalf of her highness ;” but on the other side there was no authorised representative of royalty, and though a body of commissioners acted, they were accepted neither by the young queen in France nor her mother the regent. The best that could be done was to make the commissioners act “in the name and behalf of the noble and mighty prince, James Duke of Chatelherault, second person of the realm of Scotland ; and the remanent lords of his party joined with him in this cause for the maintenance and defence of the ancient rights and liberties of their country.” To bring the duke a step still nearer to royalty, it is set forth that he is “declared by Act of Parliament in Scotland to be heir-apparent to the crown thereof.” We learn the significance of the phraseology of this part of the treaty by the correspondence of the time, in which Queen Elizabeth’s advisers are at their wits’ end to find a political head with whom it might become her, as a crowned and anointed queen, to communicate. It is evident that what they most desired was that some one whose position fitted him for such a project should aspire to the throne. Queen Elizabeth would then be supporting the cause of the right sovereign, at least of the side she thought proper to adopt in a disputed succession. The

head of the house of Hamilton was, of course, looked to; but he was not the man to play so bold a game. Hints were given to the Lord James; he was the son of the late king, and though he was illegitimate, that was a difficulty that had often been overcome in other instances. Whatever his conscience may have said, however, his prudence was sufficient to keep him from so perilous a project.¹

These difficulties adjusted as best they might be, the treaty goes into thorough business. Queen Elizabeth's object is the preservation of the realm of Scotland in its old freedoms and liberties during a dangerous crisis, and the expulsion from it of the foreign troops, who are virtually foreign invaders. The imminence of the occasion comes out. Her majesty is certain, from the information received by her, and the career of the French troops in Scotland, "that they intend to conquer the realm of Scotland, suppress the liberties thereof, and unite the same unto the crown of France perpetually." Then comes the practical stipulation for averting this catastrophe, or "for expelling out of the same realm such as presently and apparently goeth about to practise the said conquest;" that "her majesty shall, with all speed, send unto Scotland a convenient aid of men of war on horse and foot, to join the powers of Scotsmen, with artillery, munition, and all other instruments of war meet for the purpose, as well by sea as by land, not only to expel the present power of France within that realm, oppressing the same, but also to stop, as far as conveniently may be, all greater force of French to enter therein for the like purpose." There was a clause coming after these substantial undertakings, which served better than the preliminaries, to save Queen Elizabeth from the scandal of treating with subjects. Her aid is to be given to the Lords "as long as they shall acknowledge their sovereign lady and queen, and shall endure themselves to maintaine the liberty of their country and the estate of the crown of Scotland."

There is a provision which, if it do not hint suspicion,

yet shows precaution bred of old jealousy of England. Whenever the English force take fortified places from the French, these are either to be demolished at the hand of the Scots or given over to the Duke and his party; and the English auxiliaries are not to fortify themselves anywhere in Scotland without the permission of the Duke and his followers.¹

This arduous piece of diplomacy accomplished, it was resolved at last to send hearty aid. The French army, under D'Oysel, made a progress along the coast of Fife, plundering and burning, and purchasing undying enmity among the people, as English armies had done some ten or twenty years earlier. They beheld strange sails in the Firth, which they believed to be a reinforcement from France; but they were undeceived when they saw the strangers seize their own transports. The new vessels, in fact, brought an English force of six thousand men. There was now a scene, new and interesting—Scots and English fighting together against foreigners. But the French, and those who stood by them, held the new fortress at Leith with great firmness. There was, evidently, far more engineering science within the walls than without. The attacks were disastrous, and repeatedly driven back; and so far as the position of the two forces was concerned, it seemed likely that the fortress might remain permanently with its holders.

On the 7th of May we find that an assault was made by the English on two breaches in the wall, with disastrous effect to themselves. A thousand was the estimate of the loss in slain and wounded together. "They complain that their powder and ammunition are greatly wasted, and their sheaf arrows wholly spent." "There is great lack of corn powder, and especially of bills, bows, and arrows." They are much wearied with watch and ward; they have yet no confidence in their Scots allies, and they pray for reinforcements.² But the prospects for the English and Scots allied force become more cheerful. On the 22d of June,

¹ *Foedera*, xv. 569.

² Gray and others to Norfolk, *Calendar of State Papers (Foreign)*, 1560, p. 25; Valentine Brown, p. 27.

Randolph "writes it for a miracle that since the camp arrived there was never quarrel or discord between the English and Scotch, that ever blows were given or swords drawn," and expresses his certainty that "one way or other there will presently be an end of this matter." The French are in difficulties. They are valiant soldiers, but for that very reason "it will be no small loss to the French king to have so many slain as are like to be if they attend the fury of the black bill"—the Scots battle-axe.¹ The garrison become closely penned and lack provisions. We find a party going forth to gather cockles on the sea-shore attacked and severely punished. During an abstinence or truce there was an attempt at social intercourse between the camps. "Yesterday there met upon the sands the captain of Mount Pelham with divers of theirs, and each brought such victuals as he had in store; the English brought beef, bacon, capon, chickens, wine, beer, and such stuff as they had. The French (to signify what difference there was between assiegers and assiegees) brought with them a cold capon roast, a pasty of a baken horse, and six rats well roasted, giving them to understand that that was the best fresh vivers they had, and of such as those they lacked no store."² On the 7th of June the prospect for the assailants had so far brightened in the feebleness of the garrison and the relying spirit of the Scots, that Throckmorton bravely tells Cecil, "to be short, the French must be utterly expelled and kept out of Scotland."³

Spain was expected to take part in the contest, and from the peculiar position of King Philip, loath to realise that for influence over the destinies of England both his rights and duties were at an end, rendered the course he would take a matter of troubled speculation. Philip and his adviser in military affairs, Alva, desired to help the French in their struggle with the Protestants of Scotland without either injuring or offending Queen Elizabeth. He put his view in a shape that showed himself and his ad-

¹ Calendar of State Papers (Foreign), 133, 134.

² Ibid., 133.

³ Ibid., 104.

viser as unable to apprehend political conditions in Scotland as in England. He heard that the Scots had offered their allegiance to the French king: he had accepted it, and now they had withdrawn that allegiance and become mutinous. It was the duty of a sovereign to give aid to another in suppressing and punishing mutinous subjects. If Spanish troops landed in Scotland, King Philip engaged that it should be for that purpose, and that only. In Alva's words, as reported to the English government: "Among all the king's other good offices, the lending of his vassals for the subduing of the rebel Scots ought to be best taken, for that it was the only means, without breach of league on the king's part, to keep the French from putting more power into Scotland; and that such of the king's vassals as should be lent to the French king should be conducted by captains sworn to the king, and they of the whole troop besides. Nay, they should always be at the French king's charge, and by their oath be charged to intermeddle no further than to bring the Scots to obedience; and in case the French and Scots should make any attempt against the Queen of England, that they should join in her defence against the French."¹ Here was an addition to the perils of the Reformation cause in Scotland. It was neutralised by that procrastinating spirit which years afterwards was destined to avert a greater peril, but we find the English council disturbed by intelligence from Flanders "that 3000 of the Spanish soldiers there are ready to be embarked, as some say towards Spain, but as most men suppose towards Scotland to aid the French;" and though this is likely to be a vain rumour, it is well to warn Admiral Winter to be on the alert.² When the danger was past, the trusty Throckmorton told his mistress that King Philip "is as loath to have a league between her and Scotland as the French are, and desires that she and her realm should take part in his fortune and infinite quarrels."³ A few weeks later we find him setting forth

¹ Montagu and Chamberlain to Queen Elizabeth, 19th May 1560; Calendar, 65.

² Ibid., 168.

Ibid., 253.

in unusually brief terms a very grand policy: "To retain good credit with the Protestants. To entertain the amity substantially yet very secretly with the King of Spain." So in a twelvemonth all that is desirable for England may be accomplished. "That is to say, the preservation of England with great reputation and renown, the uniting of England and Scotland together for ever, the amity of the King of Spain faster and more assured than ever, and the eschewing of war and its perils."¹

Meanwhile the position of France had been materially altered by the crisis of the conspiracy of Amboise and the revelation of the power of the Huguenot party. If the situation rendered it all the more desirable that Scotland should be retained in religious subjection to Rome, yet on the other hand it called loudly for the return of all available troops to France.

France had appointed commissioners to treat for terms, and two of these, Charles de la Rochefoucauld De Randan, and Jean De Montluc, Bishop of Valence, held a conference with Cecil and Wotton, on the part of England. They met at Newcastle. The discussion pointed to the removal of the French auxiliaries out of Scotland; and virtually at that conference the ancient league between Scotland and France came to an end, and England and Scotland became permanent allies.² The chief points set forth afterwards at length in the final treaty, were thus briefly put.

"To be demanded of the French:—

1. That all French forces sent into Scotland be retired into France.
2. That the king and queen shall make a revocation of all writings wherein they have used the style of England.
3. A general prohibition for their subjects to keep any artificial thing wherein the arms of England be joined with the arms of Scotland.

Things to be demanded of the Scots only:—

1. That the government of Scotland be granted to the nation of the land.

¹ Ibid., 287, 288.

Ibid., 110.

2. All things done by the nobility and people to be accepted as things done in defence of their liberties and the right of their sovereign.
3. No force of Frenchmen to remain in Scotland.
4. Perpetual peace to be made between England and Scotland, and that the contract thereof might be made by the nobility and princes of both realms during the queen's absence."¹

At length it was arranged that the commissioners on both sides should meet at Edinburgh on Monday, the 17th of June, to adjust a definitive treaty. The conditions of this conference were peculiar. The English commissioners were in the country of their old enemies, who had last met for such a conference in the middle of the river Tweed. A third party to the conference represented a country ever at variance with England, and closely allied to those enemies in whose capital the treaty was to be held. Hence there are symptoms of jealous but not unnatural precaution on the part of the English—as, “The French commissioners and the retinue included in the letters of safe-conduct shall enter the limits of Scotland with the English commissioners, and none shall carry more money than is necessary for their ordinary expenses. Nor shall it be lawful for them to have any conference with French or Scotch men on the road to Edinburgh, or during their abode in Scotland in the time of treaty, but by consent of the English commissioners, or such persons as shall be appointed by them to look after this matter.

“No person belonging to the retinue of the *Sieur De Randan* and *Bishop of Valence* to leave their lodgings appointed for them in Edinburgh, without the consent of such Englishmen as are deputed by the English commissioners to accompany them.”²

The French diplomatists felt themselves powerless; yet they were loath to lose their old allies, and the queen is told by *Throckmorton* that what touches the *Guises* the nearest is her alliance with Scotland; they will be brought to agree to the rest, but this “stands in their

¹ Draft in *Cecil's hand*, *ibid.*, 113.

² *Ibid.*, 116.

stomach."¹ When the 24th of June is reached, with yet no conclusion, it is answered from the English Council that they "will not be suffered to protract the time any long while, as the Duke of Norfolk, being upon the border with 6000 or 7000 men, will enter Scotland without long delay, and achieve that by the strong hand which the French shall refuse to yield by treaty."²

The treaty of Edinburgh was concluded on the 6th of July. The immediate objects were peace, and the return to their own countries of the forces sent by England and France. The fortifications round Leith were to be levelled. Much prominence was given to a national fortress of older standing, yet little commemorated in history — that of Eyemouth* on the Scots side of the border. Its destruction had been stipulated for in the Treaty of Chateau Cambresis, but had not been accomplished: it was now peremptorily demanded. Perhaps the Scots statesmen of the day would have stood out against this demand, had they not learned a lesson that might have benefited other nations — the lesson that fortresses may do more service for the enemy than for the people they are raised to protect. In a note taken by Cecil of the views of the leading men in Scotland, there is a distinct announcement on this point: "As the realm has never been preserved from the enemy by building strengths, but had rather owed its safety to their absence, it were well that all built since the last treaty were demolished, and none be built without the consent of the Estates."³ There seems to have been no reluctance to yield the point about the demolition of Eyemouth fort; and this is the more remarkable, as at the same time England was busily improving the fortifications of Berwick, and re-organising the structure, the munitions, and the duty of the garrison, doubtless with some aid from what they saw in the French defence of Leith.

Certain new works raised by the French at Dunbar Castle and on the island of Inchkeith were to be destroyed; but this was accompanied by a condition not much relished by the Scots, that meanwhile 120 of the French

¹ Ibid., 142.

² Ibid., 145.

³ Ibid., 147.

were to remain—one-half to hold Dunbar, the other Inchkeith. It was maintained afterwards that a larger number than the 120 were left, and that reinforcements were smuggled in, still increasing the number.¹

Some subsidiary stipulations for the method of giving effect to the pacificating and disarming parts of the treaty are interesting in their suspicious punctiliousness as features of the age.² Cecil tells Throckmorton that

¹ In the note by Cecil above referred to, it is said: "It is evident that the fort of Inchkeith cannot keep out a navy, and in the hands of an enemy might greatly annoy the inhabitants on both sides of the Frith; therefore it is convenient that it should be demolished, and Lord Glamis, to whom the isle belongs, restored to his rights.—*Ibid.*, 147.

² The removal of the French forces.

Articles proposed by the French for the removal of their forces from Scotland.

1. Hostages shall be given by the English for the performance of the following things, who shall be kept where the deputies appoint.

1. A fourth part of the French soldiers shall embark, and at the same time a fourth part of the English shall march to Musselburgh, and thence to Berwick. The charge of this shall be given to four gentlemen of either party.

2. The French shall withdraw half their artillery from Leith to the mouth of the harbour, and at the same time half the English artillery shall be withdrawn to Newhaven and Musselburgh.

3. After this, half of the soldiers that remain on either side shall be withdrawn, the French shall embark and the English march with all diligence to Berwick.

4. At an appointed time, pioneers shall be sent from both sides; the English to destroy the bulwarks of Leith towards Edinburgh, and the French to destroy the new forts near the English camp; the pioneers to work for four hours, and then to be replaced by others.

5. Then the remainder of the artillery on both sides shall be withdrawn; that of the French shall be embarked, that of the Scotch given up to the Lords, and that of the English shipped at Musselburgh.

6. Then the remaining soldiers shall be withdrawn, the French embarked, and the English marched to Berwick, except the gentlemen appointed to see all things carried out, who shall also embark on the morrow. These things being performed the hostages shall be discharged.—Corrected copy in a French hand. Fr. p. 2.

The demolition of Leith, and the removing of the French.

1. The day after peace is proclaimed six gentlemen shall be named, three French and three English, and by their oversight this article shall be executed. All the artillery within Leith shall be put in the market-place; and at the instant one of the pieces shall be removed

"they have much ado to preserve the French here from the fury of the vulgar Scots; the ambassadors are not without fear, so the English are driven to give them a guard."¹ And again: "Here is goodwill in all parts that the French be gone; we to carry them, and the Scots to curse them hence."² So departed the latest material relic of The Ancient League.

There yet remains for notice a clause of this treaty of wider historical significance than the removal of the small armies gathered round Leith and the levelling of the fortresses. This referred to the claim of Queen Mary to the crown of England, as expressed in the blazoning of the arms of Eng-

from the ramparts one of the English pieces shall also be removed, and then another of the town and one of the English, or two if there be more in the battery than within the town. And after the artillery on both parts is retired, it shall be placed in the most convenient place to be embarked.

2. This done, the ensigns within the town, trenches, and forts, shall be taken down in similar order.

3. This day the six gentlemen shall be interchanged, and two of the principal gentlemen in Leith delivered to the English as hostages for the things following.

4. As soon as the French shall begin with all their puissance to demolish the fortifications of the town, the English footmen shall retire to Musselburgh, and the Lords of Scotland shall furnish as many pioneers as they may to proceed with the work, and if there be not sufficient, the English may aid.

5. When the French are embarked, the English shall march straight to Berwick and there disband.

6. When they are embarked the hostages shall be returned, provided that four other principal gentlemen be given as hostages to answer for the return of the ships in which they are embarked, and for satisfaction for their hire, and of the victuals the French shall spend or waste therein, who shall remain in London.

7. The French shall not let to embark, or the English to retire, although the demolition be not sufficiently done; six gentlemen of either party being left to assist the demolition.

8. The soldiers of either party shall be forbidden to enter the camp or the towit without the licence of the said six gentlemen.

9. Any gentleman or lady being sick may pass by land through England, provided they be not more than forty in one company.

10. All doubts shall be determined by the ambassadors, using the advice of the lieutenants on both sides.—5th July 1560. (Signed)

T. MONLAC, RANDAN, W. CECIL, R. WATTON.—*Ibid.*, 170, 171.

¹ *Ibid.*, 186.

Ibid., 193.

land in the heraldic achievements of France and Scotland. As compensation for the injury so inflicted, Queen Elizabeth directed her representatives to demand a recompense of five hundred thousand crowns and the restoration of Calais.¹ This latter demand always parenthetically accompanied any other demand that was at that period made on France, and always with the same effect. The representatives of France said it was not within their powers to grant the compensation. They proposed to refer it to the King of Spain. But they engaged with a readiness, suggesting that they did not see the full practical import of the admission, "that the king and queen, their sovereigns, will desist from using the arms and style, and will forbid their subjects from doing so, and that they will call in all letters in which the arms or style of England are used, and declare that those which are not brought in within six months shall be of none effect."² Surely French diplomacy was in this instance for once at fault. On account of this clause it was that neither in her husband's lifetime, when he would have been a partner in the act, nor ever afterwards, would Queen Mary ratify the treaty of Edinburgh. And yet it was necessary that this reason should not be uttered, and that procrastinations, devices, and casual excuses should be found for withholding the ratification which had been emphatically promised to whatever terms the representatives of France would conclude.³

¹ Ibid., 139.

² Ibid., 129. The obligatory terms of this important clause of the treaty are: "*Cum Regna Angliæ et Hiberniæ ad dictam serenissimam Dominam et principem Elizabetham jure spectent et pertineant, et proinde nulli alteri se dicere scribere nominare, &c. Idcirco statutum pactum et conventum est, quod dictus Rex Christianissimus et Regina Maria et uterque eorum abstinebunt deinceps a dicto titulo atque insignibus regni Angliæ vel Hiberniæ utendis vel gerendis.*" It may be noticed that Elizabeth's title on the face of this treaty is "*Angliæ, Franciæ, et Hiberniæ Regina - Fidei Defensor.*" — *Fœdera*, 594.

³ The authority is: "*Traicter de la reconciliation de nostre dite commune amytié, et adviser des differens qui purroyent l'avoir alterree, en quelque sorte que ce soit, les composer et accorder, ainsi qu'ilz verrent estre a faire pour le bien de nostre service, repoz et tranquillité*

To Sir Nicholas Throckmorton, a devoted and laborious servant of Queen Elizabeth, who often crosses our path through the history of this period, fell the mortifying task of in vain soliciting the ratification. He speaks of impediments from an imperfect command over the French language, and altogether his difficulties and disappointments remind one of the efforts of the comic muse to represent the honest tradesman hopelessly assailing the members of some high-bred, sarcastic, unscrupulous family for payment of his just debts. On the 22d of August we find him receiving a reception at Court. At first he had a conference with Queen Mary's uncle, the Cardinal, who made light of delays about the ratification as a matter of no moment between friends, and then started off on various collateral matters. Throckmorton was then taken by the Cardinal to the king and his brother, Queen Mary's other uncle the Duke, the Constable, and a group of other magnates. The king was glad to hear that the Queen of England loved hunting; so did he, and found it good exercise. After such talk the duke conducted him to Queen Mary, where he found an equally brilliant group of Court ladies. He noticed that whereas "when he has had to say to her she has always been accompanied by the queen-mother, and talked with him, both standing, she was now set in a chair under her cloth of state, and would needs have him sit on a low stool before her." When he opened the great question, she spoke to him in "Scottish," saying that whatever her husband resolved on the matter,

de noz royaumes pais et subjects ; et generalmente faire, en ce que dessus circonstances et dependances tout ce que nous mesmes ferions ou faire pourrions si presens en personne y estions, jacoit qu'il y eust chose qui requist mandement plus especial qu'il n'est conteneu en ces presents, par les quelles,—promectons, en bon foy et parolle, de Roy et Royne, avoir pour agreable et tenir firme et stable tout ce que par noz ditz Depputes, et les trois et deux d'eux en l'absence ou occupation des aultres, aura estre faite conclud ou arreste, et le tout entretenir garder et observer approuver et ratifier dedans le temps, et ainsi qu'ilz adviseront sans jamais aller ne venir au contraire en quelque sorte que ce soit, car tel est nostre plaisir."—*Commissio Regis et Reginae Franciæ et Scotiæ ad tractandum super amicitia et pace cum Anglia*; *Fœdera*, 12th May 1560.

to that of course she would conform, for his will was hers. Then as to Queen Elizabeth : " I have as much cause to esteem her amity as any other, for I am the nearest kinswoman she hath, being both of us of one house and stock, the queen my good sister coming of the brother and I of the sister ; so as being issued out of the same race I have the same heart she hath, and assuredly can as ill bear injury as she can, and therefore I pray her to judge me by herself, for I am sure she could ill bear the usage and disobedience of her subjects which she knows mine have showed unto me ;" and so on through a long discourse, which seems partly to have fascinated and partly to have awed the ambassador into silence.¹

On the 8th of September he renders his account of an interview with the Cardinal. There was but one day remaining of the sixty within which the ratification was to be signed, and the matter was urgent, but the Cardinal differed with Randolph about the etiquette of the affair—the ratification was not a thing for him to come for, but for the king to send to England through his own ambassador ; and then the discourse was led into other channels.² On the 17th of September, the ambassador, after persevering and vain efforts to arrange an interview, finds that he can meet both the king and the Cardinal at Poissy. But when he presents himself he is treated as an unexpected and unauthorised visitor. He meets accidentally with De Randan, one of the two who had negotiated the treaty ; but De Randan has now no part in it—all is in the hands of his master the king. De Randan, however, gives him a specimen of the policy evidently adopted by general concert at the French Court, and heartily scolds the ambassador for the disobedient conduct of the Scots, hinting that they are encouraged by his mistress. Then he finds that the Cardinal is at dinner, and he has to wait, and " was fain to shift himself in the captain of the guards chamber, which was more like a prison than a place for receiving a prince's minister." The courteous and unconscious Cardinal much regretted this ; had he known that

¹ Ibid., 246-253.

² Ibid., 284-287.

Throckmorton was there, they could have dined together. The king, the queen, and the whole Court were, however, at Poissy, and Throckmorton seems to have stood determinedly on his privileges of ambassador, and to have obtained a solemn audience. The king and queen were there, with the queen-mother, Catherine of Medici, and a large group of courtiers and statesmen.

The line revealed by Randan was followed courteously but resolutely. There was an ingenious reference to those parts of the negotiation where the Scots were represented as acting for their sovereign in the capacity of dutiful subjects. What they had done when they took credit for so acting was interpreted along with what they had in the mean time, as we shall presently see, transacted in Parliament. It was put by the Chancellor, professing to be instructed by the young king himself, to say, that it was "accorded that the Scots should show themselves humble and obedient subjects, which they have not done, but have committed sundry disorders, contrary to their duty, their promise, and the treaty." "If the queen [Elizabeth] will have the treaty ratified, either she must find the means that the Scots may perform that which they are bound to by the treaty, or the king cannot ratify the treaty in sort as it is; or else the Scots matters must be left forth of the treaty. Otherwise the king ratifying that treaty shall be bound to his subjects, and they remain at large to continue in their follies and disobedience. This was the order and substance of the Chancellor's rule; whereupon Throckmorton asked if he should take it as a resolute answer that the king refused the ratification of the treaty; he said Yes—unless the queen remedied the things he told him."¹

Throckmorton persevered still. He gives a report of a meeting with Queen Mary on the 17th of November, when she said to him, "My subjects in Scotland do their duty in nothing, nor have they performed their part in one thing belongeth to them. I am their queen, and so they call me, but they use me not so; they have done what

¹ *Ibid.*, 298, 303.

pleaseth them ; and though I have not many faithful there, yet those few that be there in my party were not present when these matters were done, nor at this assembly. I will have them assemble by my authority and proceed in their doings by the laws of the realm, which they so much boast of and keep none of them. They have sent hither a poor gentleman to me whom I disdain to have come in the name of them all to the king and me in such a legation. They have sent great personages to your mistress. I am their sovereign, but they take me not so ; they must be taught to know their duties.”¹ The “gentleman” was not so “poor,” either in riches or rank, as he was offensive from being in possession both of an ecclesiastical title and a secular wife. He was with the Lord St John, so termed as holding the richly-endowed office of Prior of the Knights of St John. He was a sort of messenger for the ratification of the treaty, and in an interview with Queen Mary, “he was answered that the Scots had assembled themselves upon their own authority, therefore the king and queen would not ratify it.”²

The queen-dowager, sick and wearied with anxieties, was taken when the siege of Leith began to the Castle of Edinburgh. She died there on the 10th of June 1560. On her deathbed she showed that air of magnanimity and high generous feeling which her remarkable race could assume on all fitting occasions, insomuch so that she left a profound impression even on the hard minds of the sturdiest of the Reformers. She sent for the Lord James, and spoke regretfully, and almost as if penitently, of the past ; and suffered Willock, the preacher, without interruption, to deliver some of the exhortations which his own order deemed good for such occasions. The cause of

¹ Ibid., 394.

² Ibid., 408. As the result of all this, an eloquent French historian says : “François et Marie refusèrent en vain leur ratification ; l'Ecosse demeura protestante et livrée à l'influence de l'Angleterre ; le but poursuivi si longtemps par la politique Anglaise était atteint ; la vieille alliance de la France et de l'Ecosse était rompue et la perte de Calais bien compensée pour l'Angleterre.”—Martin, *Hist. de France*, t. 48.

the Congregation was now triumphant, and about finally and emphatically to express itself.¹

The Estates convened in August. On the 17th the Confession of Faith, containing a rendering, in English or Scots, of the principles of the Geneva Church was approved of as "hailsom and sound doctrine, grounded upon the infallible truth of God's Word." At the same time there was a general repeal or revocation of all Acts authorising any other form of belief or worship, and the authority of the Bishop of Rome was abjured. It was provided that the administering, or being present at the administration, of the mass, should be punishable—for the first offence, by forfeiture of goods, and corporal infliction at the discretion of the magistrate; for the second, by banishment from the realm; for the third, by "justifying to the deid," or death. These Acts were passed on the 25th of August. They have little organisation or legislative detail for the purpose of practical application, and may be held, as many Scots Acts then were, to be rather a resolution and declaration of opinion by the triumphant party in the States, than Acts of Parliament in the present constitutional meaning of the term.² It will be observed, in what has hereafter to be said, and makes a very significant point in the character and policy of Queen Mary, that these Acts never got the royal assent.

The external character of the religion thus suddenly introduced cannot be omitted from the material facts that

Randolph wrote to Killigrew how he "saw the dowager's corpse. She lies in a bed covered with a fair fine white sheet, the tester of black satin, and the bed-stock hanged round about to the ground with the same. All her own servants are at liberty, saving only the bishops and clergy, who are stayed until the Parliament make order with them. Her ordinary continues; her dames continually wait on the corpse. They have not yet received their mourning garments. *Scindite corda vestra, non vestimenta*; so said the Lady Fleming to him talking of that matter. Her burial is deferred till the Lords of Parliament are assembled—the first day thereof is *decimo Julii*. It is determined that she shall have all solemnities meet for so noble a personage, saving such as savour rather of superstition than of Christian piety."—133.

¹ Act. Parl., ii. 526 *et seq.*

have to be told in history. But any account of it, as expressed in the authorised announcements of creeds and adoption of books of devotion, will come in more harmoniously with the later period, when the champions of the Reformation become the actual rulers of the state.

On the face of the parliamentary record it would seem as if the Reformation in Scotland were the work of one day. On the morning of the 25th of August 1560, the Romish hierarchy was supreme; in the evening of the same day, Calvinistic Protestantism was established in its stead. But the departure of the French and the treaty of Edinburgh were the conclusion of past events; and as to the Acts of Parliament, whether they were of any avail or not depended on events yet to come.¹

¹ Throckmorton gives an account of this eventful Parliament. He "never heard matters of such great importance sooner despatched, nor with better will agreed unto." After a question about the institution of the Parliament, "The next was the ratification of the Confession of Faith, which the Bishop of St Andrews said was a matter that he had not been accustomed with, and had had no sufficient time to consider or confer with his friends; howbeit, as he would not utterly condemn it, so was he loath to give his consent thereunto. To that effect also spake the Bishops of Dunkeld and Dunblane. Of the Lords temporal, the Earls of Cassilis and Caithness said No. The rest of the Lords, with common consent and glad will, allowed the same. The old Lord Lindsay, as grave and godly a man as ever he saw, said, 'I have lived many years; I am the oldest in this company of my sort; now that it has pleased God to let me see this day where so many nobles and others have allowed so worthy a work, I will say with Simeon, *nunc dimittis*.' The old Laird of Lundie confessed how long he had lived in blindness, repented his former life, and embraced the same as his true belief. The Lord James, after some other purpose, said that he must the sooner believe it to be true for that some other in the company did not allow the same—he knew that God's truth would never be without adversaries. The Lord Marshall said, though he were otherwise assured it were true, yet might he be the bolder to pronounce it, for that he saw there the pillars of the Pope's Church, and not one of them would speak against it. Many others spoke to like effect, as the Laird of Erskine, the Laird of Newbattle, the sub-prior of St Andrews; concluding all in one, that that was the faith in which they ought all to live and die."—Calendars of State Papers (Foreign) for 1554-60, p. 261. It is not obvious in the face of the document in the Calendars whether the reporter of all this were present, or only spoke from what was told to him. Reference to the Calendars of State Papers.

to which the student of British history at this period must needs be largely indebted, demands some explanation. The earlier sets of Calendars—as, for instance, the two volumes relating to Scotland—were little more than “contents” or indications of what might be found in the manuscript papers enumerated in them. The series here quoted is much more full. Sometimes passages are quoted from the papers and placed within inverted commas. One must hold these to be absolutely accurate, and for all historical purposes to be cited as documents. The greater portion of the matter, however, is a rendering of the tenor of the document, closely abridged where it is unimportant, but fuller where matter of importance and interest appears. There must be discretion in making use of such passages. If there is nothing of a very critical nature in the absolute words used, they may be quoted as one quotes a book. But should a word, or the construction of a sentence, involve any important question about the meaning of any part, the Calendar must then only be treated as pointing the way to the original document.

CHAPTER XXXIX.

CONDITION OF THE NATION FROM THE WAR OF
INDEPENDENCE TO THE REFORMATION.

THE CONSTITUTION OF SCOTLAND—THE POWER OF THE ESTATES OF PARLIAMENT—THEIR EXERCISE OF THE EXECUTIVE—LORDS OF THE ARTICLES—THE ESTATES AS A FINAL COURT OF LAW—LORDS AUDITORS—DAILY COUNCIL—ESTABLISHMENT OF THE COURT OF SESSION ON THE MODEL OF THE PARLIAMENT OF PARIS—INFLUENCE OF THIS IMITATION—CHARACTER OF THE INSTITUTIONS—ADAPTATION OF THE CIVIL LAW—CONSPICUOUS ABSENCE OF PREROGATIVE LAW AND INVIDIOUS CLASS PRIVILEGES—CONSTITUTIONAL AND HISTORICAL RESULTS—POPULARITY OF THE NATIONAL INSTITUTIONS—PROVISIONS FOR THE EDUCATION OF THE PEOPLE—GRAMMAR-SCHOOLS—UNIVERSITIES—THEIR TESTIMONY TO AN ELEMENT OF ENLIGHTENED LIBERALITY IN THE CHURCH—THEIR MODEL BROUGHT FROM FRANCE—VESTIGES OF THIS INFLUENCE IN UNIVERSITY CONSTITUTION AND PRACTICE.

It is now proposed to pause for a while in the narrative, and look back upon such isolated occurrences or established facts as are suggestive about the progress of the nation in wealth, civilisation, literature, the administration of justice, and other matters coming within the compass of a country's social condition. In the similar retrospect of progress before the War of Independence, the materials for distinct knowledge were so meagre that every trifle had to be seized with avidity. The materials, too, for the succession of historical events were too scanty to supply the significant features which enable us to see the manners and conditions of the people in the mere telling of the narrative. The fuller particulars of the later periods ought of themselves to tell about the social condition of the several actors who come forward, more expressively than a general

dissertation can. On this occasion, then, nothing seems to be appropriate or required beyond a rapid grouping of such specialties as narrative does not naturally carry with its current.

The reasons have been given for supposing that there was much comfort, if not affluence, in Scotland when the War of Independence broke out.

In the earlier summary of national progress we find traces of laws, which had grown up no one knew how, older than the traces of the existence of a parliamentary body. We have seen how, through the feudal institutions moulded by the spirit of the people, a parliament gradually grew, under the title of the Estates of the Realm; and we have seen that in the reign of Robert the Bruce, if not earlier, the citizens of the burghs were represented in that body. During the period now referred to, the Estates continued to exist, and to act as a constitutional establishment of the nation. We have had many opportunities of noticing the laws passed by the Estates, and the other transactions in which they were concerned. In some of these instances it may have been observed that the Estates interfered with transactions which, according to modern English constitutional notions, belong to the executive; and from this it would be inferred, by many practical politicians, that the Estates of Scotland were not a properly constitutional parliament.

There can be no doubt of the superiority of the practice of the present British Parliament on all points in which it differs from the practice of the Scots Estates anterior to the Reformation. But may we not find that the perfection of the British system has grown with the other political conditions surrounding it, and that it is as vain to seek it in the Scotland of the sixteenth century, as to seek the peace, the security, and the other blessings of our civilisation in the same conditions, of time and place?

Take, for instance, two features in which the British Constitution has gone far beyond any other human institution in the way to perfection, by effecting the rapid action of a despotism without weakening or checking

the influence of popular control and responsibility. The one is the sacredness of the sovereign from personal responsibility, while every act of government must pass under the hand of some minister of the crown, who is personally responsible for what is done; the other is, that it lies with the sovereign to make peace and war, Parliament only having the power of reviewing the conduct of the ministers who have made themselves responsible for the line of policy adopted in each instance. But these principles were not adjusted by the political skill of wise lawgivers. They were the offspring of strife and bitter enmity. Parliament never conceded the inviolability of the royal person. All the world has heard of the conflict, designed to extinguish in blood that slavish doctrine, when it was resuscitated by the civilians from the maxims which the Roman Empire had taken from Eastern nations. Nor, on the other hand, did the crown advisedly give up to Parliament the power of controlling the conduct of the sovereign's servants. Every devise of the constitution has a complex and contradictory shape, because it has been a remedy found in the period of power, for something that has been lost in the period of weakness. Thus every specialty in the constitution was either the fruit of some victory gained, or the result of a compromise and treaty between two hostile powers. The purport of what was so gained or lost was recorded with scrupulous exactness, and hence came that precision in the working of the machinery of the constitution which is so infinitely valuable in the present day.

In this view the English Constitution survived memorable perils, and it is no matter of wonder that a neighbouring constitution should avoid the risk of abandoning the holds it already had, with the dubious prospect of recovering them in a more perfect shape. The Scots Estates did not admit the irresponsibility of the sovereign. We have seen them bringing King James III. to task, and the precedent was made all the more emphatic by the attempt of the lawyers of the seventeenth century to conceal it by mutilating the record in which it is set forth. The punishment of bad sovereigns is a thing

in which the literature of the country deals in a tone evidently directed towards practice. We find the Estates of Scotland acting many things now deemed the peculiar function of the executive. They kept in their own hands the power of making peace and war. We repeatedly find ambassadors receiving special instructions from the Estates ; and there was a political crisis about the great question of marrying Queen Mary to the Prince of England, because a treaty had been negotiated under instructions from an imperfectly-constituted parliament.¹ While the power of Rome yet existed, the Estates had made visible progress in establishing such a lay headship over the Church as the crown acquired in England by a sudden stroke. We shall find that at the time we have reached, a critical question was standing over, Whether the crown had a veto on the acts of the Estates? in other words, Whether the consent of the sovereign was necessary to an Act of Parliament? and down to the union with England this question was not decided. In forming the constitution of the Scots Estates, there was an element never felt by the English Parliament. There, throughout, the enemy was at home—it was the prerogative. The vigilance of the Scots Estates was ever exercised against the conquering encroachments of England. There are scarcely any traces of a conflict between the crown of Scotland and the Estates. These, in fact, were the careful guardians of the crown against peril from subjugation by the common enemy. Such faint traces as we have of the Estates coming in conflict with the crown are when there is suspicion that the sovereign is in too close amity with their enemy of England to be

¹ In the close discussions with France, at the time of Queen Mary's marriage, the power and functions of the Scots Estates puzzled the French courtiers. When Montluc, Bishop of Valence, had a discussion with the Lords of the Congregation, and put the point of loyalty to them, he says, " Ils répliquèrent, que le royaume d'Ecosse est gouverné autrement que ne sont les autres, et que s'il y a différends entre le Roy et les subjects, il faut qu'il soit débattu et décidé par les Estats ; et mesmes que les roys n'ont puissance de faire ligue ni ordonner la guerre sans leur consentement." —*Tœulet, Pièces*, i. 593.

trusted with the keeping of the independence of Scotland.

The many calamities of the royal family gave the Estates the opportunity of independent action, and made it a great national duty. From the death of Alexander III. to the majority of James VI. there is a period of 300 years. If we count in these the years when there was a minor king, and the period of the absence in England of King David, we shall have to deduct 134 years from the 300, leaving 166 years during which the kingdom was ruled by an adult monarch. It is less to be wondered at that, with such opportunities, the Estates should have acquired functions unsuited to a representative body, than that the monarchy should have been strictly preserved, and that it should have kept the exact course of hereditary descent unvaried, save by a slight oscillation from the shock of the great War of Independence.

This precise observance in Scotland of the strict rule of descent is all the more remarkable from the chaos of the Wars of the Roses in England. Perhaps it may be said that this was because Scotland did not happen, like England, to be afflicted by royal collaterals, whose power enabled them to break in upon any abstract principle, such as that of hereditary descent; but at least it is due to the Estates of Scotland that they took up the true rule of descent, and were careful that there should never be a deviation from it.

The Estates were not divided into two Houses, like the English Parliament, but transacted their business in one place of meeting. We have nothing to help us to the method in which this business was transacted, like the precise record of the votes and proceedings of the English Parliament; but, again, this precision was the growth of contest, everything done by either House, with the method of doing it, being recorded as a precedent for after reference, in case it should come to be impugned either by the crown or by the other House of Parliament. The records of a well-ordered legislative assembly do not commemorate its disputes. From the journals and the proceedings of the Imperial Parliament of the present

day we would not infer that such a practice existed as "parliamentary debate." Neither in England nor Scotland have we much testimony to the way in which differences of opinion were adjusted in the earlier Parliaments. That there were such differences of opinion we know by the occasional entry of "Protests" against the points carried. The Parliament of 1524 leaves a turbulent record of protestations, attributed to the interference of the young king's mother, Margaret of England, whose restlessness has left its mark on our history.¹ We have seen that there was, if not much debate, yet some expressive speech-making in the Reformation Parliament of 1560.

The practice of passing projects of law from one House to another has been a great protection against impulsive legislation, by requiring that every measure should be reconsidered, even after it seems finally matured ; and this, like the other specialties, was in England the growth of contest. The Scots Estates did the best they could towards the same end, by working through permanent committees, having, after their appointment, the character for the time of separate legislative chambers. We find the appointment of such a legislative committee in the reign of David II.—there are marks in the wording of the appointment which show that the institution was then a novelty. In the first parliament of the reign of James I., we find that such a committee had gradually become a permanent institution, under the name of the "Committee of Articles," or the "Lords of the Articles." It would appear that from that time the legitimate method of transacting the legislative business of Parliament was that, on the assembling of the Estates, they decided on the tenor of the measures which it was desirable to pass. Certain persons were then chosen from each Estate to be the Committee on the Articles. To them the preparation and maturing of each measure was confided, somewhat after the method in which, at the

¹ See account of this Parliament, Innes's 'Lectures on Scottish Legal Antiquities,' 134.

present day, a committee of the whole House deals with a bill referred to it after the second reading. The Estates stood adjourned while this committee was at work. When the several projects of law were matured, the Estates reassembled. The committee reported to the meeting the bills matured, and they were then put finally to the vote for adoption or rejection. In later times, this, the legitimate form of action, was sometimes invaded or perverted. The courtiers of the later reigns, when they desired to influence the proceedings of the Estates, found the delegation of business to this committee to be the weakest part of the organisation of the legislature, and they accomplished their ends by corrupting its constitution.

In the laws or statutes passed by the Estates, as they have come down to us in the present day, Latin prevails in the earlier stages, to yield gradually to the final establishment of the supremacy of the national vernacular. The statutes of England were rendered in the French language of the Norman Court; while the Scots, so closely allied with France, spoke in their own pure Teutonic,—or English as it may be called, when we speak of it in its character as a tongue, and not in reference to the people who spoke it. In this we see, that while France, so far as she was represented by the Norman, had established her influence in the heart of English institutions, in Scotland the foreign influence was social and superficial. It is true that the unwritten laws of France and Scotland were alike, but this was because both drew from the great fountain of Roman jurisprudence.

The Estates, in their jealousy of all prerogative powers exercised by the crown, strove against its monopolising the administration of justice. While the king's chancellor, justiciars, and sheriffs exercised their remedial jurisdiction, the Estates or high court of Parliament professed to administer justice, or give "remeid of law" to those who might apply to them. For this branch of work a separate committee was appointed, called the Lords Auditors of Complaints. The proceedings of this committee, from 1466 to 1494, have been printed by the Record Com-

mission, and are a substantial contribution to our means of becoming acquainted with the early law and forensic practice of the country. A like contribution is afforded in the proceedings of the Lords of Council from 1478 to 1495.¹

This tribunal was recast in the year 1503, by an act of the Estates. The lords were to be appointed by the crown, and to "sit continually in Edinburgh, or where the king makes residence, or where he pleases."² One reason for establishing such a court was that the Lords Auditors had authority only during the sitting of Parliament, so that the procedure before them stopped when Parliament rose. It became the practice to hand the unfinished litigations before the Auditors, at the end of a session, over to the Lords of Council. The jurisdiction of both was alike. The same men often served on both, and the staff of officers seems to have been common to both.³

Vestiges may be found of another committee of Parliament for advising the sovereign with the title of "The Secret Council." We have, perhaps, here the cradle of an organisation which afterwards passed into the hands of the crown itself to exercise an authority inimical to the constitutional action of the Estates.

We find that the sheriffs, as representing the crown, occasionally resist the orders of the Auditors, or fail in due compliance, and then orders are issued for their "warding" or imprisonment, raising contests about "privilege," resembling in some measure those which have so often disturbed the equanimity of the English Houses of Parliament. As we have seen, the Church claimed all legal adjustments which depended on an answer to the question whether the sacrament of marriage had been duly performed; and so all litigations raising the question whether any persons were man and wife, or whether any

¹ 'Acta Domihorum ad Causas et Querelas Audiendas Electorum,' and 'Acta Dominorum Concilii,' both printed by the Record Commission in 1839.

² Act. Parl., ii. 241.

³ In one instance, in the record of the Auditors, the clerk is found setting down a decision as by "the lords of counsale," but, recollecting himself, he scores his pen through the words and writes "Auditors."—Act. Auditorum, 10.

person was born in wedlock, so as to take the privileges of legitimacy, fell to the ecclesiastical courts. Hence the Lords Auditors, or the Lords of Council, sometimes found that a question raised is not within their jurisdiction, but belongs to the proper ecclesiastical court. They found, too, occasionally, that a person who has entered appearance as a litigant is under sentence of "cursing" or excommunication, and cannot be heard until that ecclesiastical doom is removed. With ecclesiastical tribunals and persons, the Lords, although acting as a supreme court, seem generally loath to be authoritative. In a case before them, for instance, a priest is in possession of writs which will help to a right decision; but the Auditors, instead of taking steps to enforce production of them, apply to the bishop, exhorting and praying him to compel the priest to produce them.¹

On the proceedings of the Lords Auditors, little appeal business is perceptible. Perhaps they were shy of exercising the power of revising the judgments of the king's justiciars. Enough appears, however, to show that, holding delegated power from the Estates as the supreme court of Parliament, they counted themselves a court of review on appeals from the king's courts. On any occasion when this power is exercised, the minute of the finding of the Auditors is expressed with unwonted distinctness and ceremonial.²

¹ Acta, &c., 94.

² "The Lords Auditors chosen be the three Estates in this present Parliament for the decision of the dooms, decreets and delivers—that the doom given in the Justice Aire of Cupar, in the tolbooth of the same, before John Haldane of Gleneagles, one of our sovereign lord's General Justice on north half the water of Forth be the mouth of [] Dempster, the 25 day of Februar, the year of God 1477, for the burgh fundin be Alexander Spence, advocate and forespeaker for John Dischinton of Ardrross, upon thre breve of mortancestry, purchast be Andrew Bisset, upon the lands of Kinbrachmont, and agane a recontre made be William Richardson, advocate and forespeaker for the said Andrew,—was evil given and well again said by the said William, for divers and mony reasons produced and shown before the lords."—Acta, &c., 66. The words "evil given and well again said" are equivalent to finding the court below in error, and admitting the appeal. This mere reversal is followed by findings for putting the judgment of the court of appeal in force.

We find this high court of Parliament, in one instance at least, taking upon itself to give such remedy in an international question as we may well believe the inferior courts would not venture to apply. The case is remarkable, from the practical testimony afforded by it to the closeness of the exchange of citizenship between France and Scotland even before the marriage of Queen Mary. A certain William Richardson, who is called a burgess of Dieppe, while his name shows him to be of Scots origin, had got a decision in his favour against William Lennox of Kail, for the sum of six score pounds, fourteen shillings, and fourpence of Parisian money. The decision was by a French court of law; it was pronounced by "James Disome, licentiate in the law and Lieutenant General at the Table of Marbre in the Palace of Paris, under a noble lord, Louis, Lord Graul, Councillor to the King of France, and Great Admiral of France." This foreign decision was held to be authenticated "by a process, sentence, and certain letters executorial direct by the foresaid James Disome, thereupon shown and produced before the lords." Thereupon they directed that the lands and goods of William Lennox should be distrained for the debt decerned against him by the celebrated court of the Marble Table in Paris.¹

The French connection comes up in another shape, when it was found that the two tribunals—the Lords Auditors and the Lords of the Council—did not work well; and it was judged fitting to recast the administration of justice, and organise a supreme court of law.

Hence in 1532 that Court of Session was created which, modified from time to time, still exists as the great fountain of justice in Scotland. It was formed on the model of the Parliament of Paris; and this French constitution, infused into it at the beginning, gave peculiarities to its constitution all along. The French Parliaments partook of the double nature of courts of law, and deliberative bodies with powers of a legislative character. The French crown cultivated, under due

subordination, the legislative tendencies of the Parliaments, as superseding the functions of the States General, and at last rendering it unnecessary to assemble that troublesome body. In like manner the Court of Session professed general remedial powers, which pressed close on the office of the legislator. So lately as the early part of the eighteenth century, they raised a storm in Edinburgh by fixing the conditions on which it was just and right that the city brewers should brew their ale. Throughout, the propensity of this court has been to give its remedy on a general view of the whole question before it; and only by degrees, and with hard adjustment, has the method, long brought to precision in England, of absolutely separating the law from the fact, been brought into Scots practice.

This court took two peculiarities by its constitutional descent. It was deemed illogical to appeal from the Court of Session to Parliament, since the Court of Session was but a remodelling of that committee of Estates which was itself the high court of appeal, as exercising the full powers of Parliament. We shall find this speciality opening up troublesome questions in the reign of Charles II. The other peculiarity was, that the practice of the court made no provision for trial by jury. It has been maintained that this, too, was keeping clear of an illogicality, since the court represented Parliament, the grand jury of the nation.

As to the substance of the law administered by the tribunals of Scotland, we have seen that, before the War of Independence, there was a tendency in this, as in other institutions of the country, to follow the example set by England. After that war, each country went its own way. England, which alone among Christian nations repudiated the Civil law, busily piled up that extraordinary mass of precedents known as the Common law. Much as the civil law was professedly detested in England, the country had to draw upon it for relief from the strange vagaries and utter injustices committed by the chaotic common law when let loose with absolute power. Against it protection was sought in the Equity jurisdic-

tion, presided over by that high officer the Lord Chancellor, and the means of extending such protection to the subject were found in the civil law. Scotland received the civil law as all-sufficient. Hence, looking across the Tweed, the English common or equity lawyer could see a phenomenon not easily understood by him—a country under one harmonious system of jurisprudence; and he could sometimes only express the nature of a thing so monstrous, by saying that the tribunals there were courts both of law and equity.

The English horror of the civil law came of the autocracy at its head, and the ample use made of it in Continental despotisms. It is a flexible system, however, easily adaptable to the desires of a free people. Take from one end of it the divine right prerogative of the emperor, and from the other end the institution of slavery, we have a system made to meet all possible exigencies, on the broad principle that all are equal in the eye of the law. There is no precedent for privilege of peerage, for forest law, or for game law, to be found there; hence it suited Scotland, where the spirit of the community did not readily adapt itself to the prerogatives of class, which the Normans had established in England. There are but scant vestiges of this spirit in the old customs of Scotland. There was no prerogative law of trespass—a law rendering it an offence for a person to be in a particular place whether his being there caused harm to any one or not. Cultivated lands and crops, whoever owned them, were protected by the exaction of damages or recompense from any one doing injury to them. We have seen how certain French visitors were alike, amazed and indignant when they found such claims asserted by very peasants. On the other hand, the bare moor was open to all men.

Of the English forest laws—the prolific, parent of a troublesome offspring, the game laws of later times—we have seen that they were but feebly and dubiously imitated in Scotland. The country was full of wild animals; the people were active and armed, and fond of field sports when they had no more serious work for their

weapons. It could not be, therefore, but that there should be legislation about game. The tenor of this legislation, however, was to render game abundant, and available for sporting purposes, by prohibiting the slaying of animals at the period when slaughter is fatal to their increase, and for the suppression of those methods of killing them which are inimical to sport by facilitating the means of converting the animals into butcher-meat.¹ There were restraints, at the same time, to prevent mischief-doing in the pursuit of the chase.² There are provisions for protecting to the owners the animals within enclosed parks or chases, and some other restraints; but there is no trace of any of those subtle distinctions by which one man might have the possession and cultivation of the ground, while another enjoyed the prerogative right of following the game reared upon it. We must come down to a period later than we have yet reached ere we shall find the Scots Legislature, in imitation of the practice of England, enacting that the ownership of land is a necessary qualification for the privilege of slaying wild animals. The oldest author who professes

¹ Thus there were penalties against taking the eggs or nests of wild fowl: "Wyld fulis—sic as pairtriks, plovers, black-cocks, grey-hens, mure-cocks—sould not be taken frae the beginning of Lentern till August."—Act, 1427. "Na man should slay does, roes, deer, in time of storm or snaw, nor their kids until they be ane year auld."—Act, 1474. Among the precautions for economising the game for the purpose of sport, the use of firearms was prohibited. We must remember that this referred to a heavy machine for deliberate use, a weapon very different from our modern fowling-piece. "The art of 'shooting flying' is one of very recent acquisition, dependent on the improvements in the mechanism of the modern fowling-piece; and the legislation of earlier times, while it encouraged the well-established and authorised use of hounds and hawks, uniformly directed the severest penalties against the employment of such 'indirect' means of destroying game as 'hackbut, gun, net, and fowler's dog.'"—Irvine on the Game Laws, Introduction, xxix. Here will be found the best account of the early legislation of Scotland on the matter of wild animals.

² "That na man tak upon hand to ride or gang in their neighbours' cornis, in hawking and hunting, frae the first of Pasch until the time the samen be shorn; and that na man ride or gang upon wheet na time of the year."—Act of 1555.

to give a general survey of the law of Scotland bluntly lays it down, that "it is leasum and permitted to all men to chase hares and all other wild beasts, being without forests, warrens, parks, or wards."¹

No doubt the feudal aristocracy of Scotland had great power; and where there is power, there will be more or less of oppression and injustice. The events which have been narrated must be left to give their own impression of the relations to each other of the different orders of society. It has been seen that acts were passed for fixity of tenure to the peasant, and for other checks on the abuse of feudal power. But a large specialty may here be noticed, which, as it is negative, does not naturally come up in the narrative: It was in the spirit of the constitution to confer such powers as were deemed fit for public use; but not to confer the empty privileges and exemptions, which are invidious to those excepted from them, and have it in their nature to set class against class. Of the multitudinous exemptions from the obligations binding on common men, which made up the privilege of peerage in England, there seems to be no trace in Scotland. In later times these nearly all merged into the one substantial privilege of exemption from imprisonment for debt.²

In the administration of criminal justice there was no separate tribunal of their own for the trial of peers, as there was in England. Important cases of treason were generally tried by the Estates, whether the accused were lords or commoners. The Estates were ever jealous of leaving political offences to be dealt with by the king's courts. But for other offences, however high, a lord had to "thole an assize," or stand by the verdict of a jury, like any

¹ Balfour's Practiks, 542.

² At the Union the English privileges were extended to all Scots peers, whether they were returned to Parliament or not. The exasperated party opposed to the Union garnered up every testimony to selfishness and corruption which they could cast against its supporters; and among these, it was said that exemption from imprisonment for debt was a cunning device to buy the votes of the impoverished peers of Scotland.

other subject. The jury was in some measure modified to equality in rank with the accused. If he were a "landed man," or proprietor of land, the jury must have been chosen from the same class ; and if he were a freeholder, a certain proportion of the jury must have held the same rank.

But the best testimony to the character of the national institutions is to be found in the tenacity of the people in holding to their "auld laws and lovable customs." In the hostile face they ever presented to all attempts towards annexation by England, it is not so much the sentiment of a national sovereignty that is at work, as the dread of innovation on the national customs. We have seen how this is specially noted by the English statesmen who reported on the national feeling to Henry VIII., and especially by the acute and observant Sadler. The influence of the feeling was acknowledged in the later attempts at annexation, which were accompanied by engagements to preserve the old laws and customs of the country—engagements which could not be taken with reliance from kings who were ever striving to cancel the charters conceded to their subjects of England.

As yet we have come across no contest of class against class. It would be difficult to trace the history of any other part of Europe, through the same centuries, without finding this sort of testimony to the dissatisfaction of the people with the institutions among which they lived. In Scotland there was no Jacquerie—no Wat·Tyler or Jack Straw. Whether or not the Scots were, as some have held, subjected to a hard feudalism, their condition seems to have been congenial to them. High and low, they fought together, and were of one mind ; and it was only when the natural leaders were supposed to have betrayed the country to the common enemy that there was variance between classes, and the peasant would no longer follow where his feudal chief would lead him.

In almost all the periods of the history of Scotland, whatever documents deal with the social condition of the

country reveal a machinery for education always abundant, when compared with any traces of art or the other elements of civilisation. Perhaps book-learning is the first of the intellectual pursuits which an inquisitive and ambitious people take to, the others following in their turn. We have naturally no statistics of education which would be sufficient to afford an idea of the number of schools in the country, and the matters taught in each, even so far down as the Reformation. But in documents much older than the War of Independence, the school and the schoolmaster are familiar objects of reference. They chiefly occur in the chartularies of the religious houses; and there is little doubt that the earliest schools were endowed and supported out of the superfluous wealth of these houses, whether with the object of supplying a body of scholars from which the Church might take its recruits, or in a general enlightened view of the blessing of knowledge to mankind.¹ In later times, schools are found attached to the burgh corporations. They got the name of grammar-schools, and we see from the way they are spoken of that Latin was taught in them.

In 1496 an Act was passed requiring, "through all the realm, that all barons and freeholders that are of substance put their eldest sons and heirs to the schools, fra they be aught or nine years of age; and till remain at the grammar-schools until they be competently founded and have perfect Latin; and thereafter to remain three years at the schools of art and jure, so that they may have knowledge and understanding of the laws."² The baron or freeholder who should fail in obedience to this injunction was to forfeit £20 to the crown. The forfeiture is to follow upon "knowledge gotten" of the failure—a protective condition, since it must have been hard to prove that the youth, if sent to school, had not got "perfect Latin." But, like many other Scots Acts, this one was in a great

¹ The casual notices of schools in the early parts of the ecclesiastical chartularies have been often cited. They will be found summed up in Innes's 'Sketches of Early Scotch History,' 134 *et seq.*

² Act. Parl., ii. 238.

measure an exhortation from authority rather than a law to be rigidly enforced.

We hear, at the commencement of the sixteenth century, of men acquiring distinction as mere schoolmasters—a sure sign of the respect in which the teacher's mission was held. Among these were Andrew Simson of Perth, and John Vans of Aberdeen, who was so ambitious as to write a grammar of the Latin tongue. Ninian Winzet or Winyet, a distinguished scholar, was master of the grammar-school of Linlithgow. As a member of the old religion, he was superseded at the Reformation. He went abroad to hold the high office of Superior of the Scots Convent of St James's, at Ratisbon.¹ It does not appear to have been thought that the command over this eminent religious house was a startling contrast to the position of teacher of the grammar-school of Linlithgow. Advancement it certainly was, but not to a dizzy elevation.²

But however powerful the school education of his time may have been, the Scotsman ambitious of acquiring the learning that went beyond the knowledge of languages

¹ See chapters iv. and xii.

² Winzet lamented the necessity that parted him from his old friends and accustomed pursuits. When addressing the "gentil reader," he says: "When I, for denying only to subscribe thair phantasy and faction of faith, was expelled and shot out of that my kindly toun, and fra my tender friends there, whas perpetual kindness I hoped that I had conquest, by the spending about ten years of my maist flourishing age, naught without manifest utility of their commonwealth." His estimate of the office of the teacher seems worth noting, as the utterance of a Scots burgh schoolmaster of the time before the Reformation: "I judgeit the teaching of the youthhood in virtue and science, next after the authority with the ministers of justice, under it and after the angelical office of godly pastors, to obtain the third principal place most commodious and necessar to the Kirk of God. Yea, sa necessar thought I it, that the due charge and office of the prince and prelate without it, is to them, after my judgement, wondrous painful and almost insupportable, and yet little commodious to the commonwealth, to unfeignet obedience and true godlyness, when the peoble is rude and ignorant; and contrary, by the help of it to the youthhood, the office of all potestates is light to them, and pleasant to the subject."—Winzet's Tracts; see Irving, 'Lives of Scottish Writers,' i. 100.

must have sought it abroad, until the establishment of universities in Scotland. Three universities had been founded in Scotland more than half a century before the Reformation—St Andrews in 1410, Glasgow in 1450, and Aberdeen in 1495. It may with truth be said that, in the history of human things, there is to be found no grander conception than that of the Church of the fifteenth century, when it resolved, in the shape of the universities, to cast the light of knowledge abroad over all the Christian world. The skill and energy brought to its completion were worthy of the greatness of the design. It was a thing altogether apart from the public-school system, which doles out the rudiments of knowledge to the totally ignorant, giving them a little of it with calculated parsimony, as paupers are fed and clothed. The universities called on all the ardent spirits of the age to come and drink their fill at the great fountains of knowledge. Everything about the universities was on a scale of liberality, splendour, and good taste sufficient to adjust them to the habits of the aristocracy. Yet the poorest and humblest among the people—the children of craftsmen and serfs—were tempted to resort to them and partake of their munificence, on the condition of earnestly embracing the scholar's life and devoting themselves to the acquiring of learning.

The university was to be the same in rank, and if possible in wealth and grandeur, whether it arose in the populous capital of some powerful state, or was planted in some distant region among a scanty people, poor and rude. It was to be the same at Upsala and Aberdeen as at Paris and Bologna; the same at Greifswalde, on the flats of Pomerania, then but recently rescued from heathendom by the crusades of the Teutonic knights. Thus were there spread over the world organisations for tending and rearing learning wherever the germs of it were to be found, in youth with an aptitude and a will for study. It was the fulfilment of the Church's mission to raise up an intellectual power fit to cope with brute force, feudalism, burgher wealth, and the elements of the material governing influences. Surely, too, it must have been seen by those enlightened churchmen who designed it, that it would

prove an organisation to protect the world from the influence of superstition and priestcraft.

In Scotland some curious relics of the ancient universities are preserved; but from England they were so effectually cast forth, that Cambridge and Oxford are in many things antagonistic to the spirit of the institution. In these the original uniformity, with its broad liberal basis, has been eaten out, as it were, by the growth of internal corporations, rich, invidious, and engrossing, under the names of colleges, halls, inns, and entries. These are, doubtless, illustrious institutions; but it is with another glory than that which gave lustre to the University of the fifteenth century. The tendency of their working is not to level material distinctions, and make knowledge all in all. They have got into the hands of the wealthy, who have made them the institutions in which they seek high tuition and all stimulants to scholarship for their sons. Vestiges exist of the old arrangements for securing those scholars who had not worldly means against the pressure of the sordid wants of life. But instead of tending to a general equality of position, as in the old literary republics, they only degrade the stipendiary student by contrast with the luxurious wealth surrounding him. Perhaps it has been from their poverty that the small universities of Scotland have been better custodiers of the traditions of the "*universitas*" or "*studium generale*" of the fifteenth century.

In this the Scots universities are perhaps rather to be counted as interesting relics of a grand old policy, than as institutions responding to the spirit and the demands of the present day. However much we might desire it, we could not have a university in the old sense. The essentials of it were that it belonged not to a province or nation, but to the Christian world. The universities were a great conglomerate of co-operations, giving and taking among each other. The man who held a certain rank in one, held the same in all. The catholicity of the rank was not affected by national partitions, or even national conflicts. To make this reciprocity perfect, a head was necessary, and that was found in the Court of Rome. The Pope's bull was the conclusive writ establishing the uni-

versity, and that franked it as a member of the university system stretching over the Christian world.

In whatever efforts there may have been to preserve the spirit of this communication by voluntary concession, England has had no part. Her university honours are her own ; and she neither acknowledges those of other kindred institutions, nor cares to take anything from them. The catholic spirit of the old universities was shown in the division of the students into groups, according to the nations or districts of the Christian world whence they had flocked to the seat of learning. These groups were called the Nations. Among vast assemblages, such as those congregating to the University of Paris, it is easy to understand that this division was of great moment. Each country, or group of countries, associated under one Nation, on the supposition that they had common local interests, had a corporate standing of its own, and was represented in general proceedings by its Procurator. In Glasgow and Aberdeen "the nations" still flourish and act, though their functions may perhaps be counted little better than a mimicry of those originally vested in the institution. There is a nobler remnant of the old spirit at the competition-table for bursaries at Aberdeen, where any man from any part of the world may step forward and sit down among the others ; and if he be a better Latin scholar than his neighbours, may, by the rank which his exercise takes in the competition, carry off a pecuniary prize so solid, that it shall provide for all his needs while he sojourns at the university, obtaining there such a training in the higher walks of learning as it is capable of supplying to him.

These things have a place here because, as subsisting relics, they show us how thoroughly the Scots universities were part of the Catholic Continental system. If the Scots universities had any specialties, they were those of France, whence they came. King's College in Aberdeen was an exact model of the University of Paris. Its founder, Bishop Elphinstone, had been a professor at Paris and at Orleans. Its first principal, Hector Boece, the friend of Erasmus, printed two editions of his celebrated History at Paris

A worthy effort seems to have been made to do credit to such companionship, both in the eminence of the men brought to the spot, and the amenities by which they were surrounded. As the enmity towards the monastic orders did not extend to the universities, the greater part of the original building still remains, retaining more of the seclusion appropriate to the cloister and the ancient retreat of learned leisure, than perhaps anything else in Scotland. It is perhaps from its remoteness that the thoroughly Parisian elements have there, in name at least, had a more tenacious life than with its neighbours. There is still the Chancellor. Of old he was the bishop of the diocese, according to the practice of the Continental universities—a practice from which Paris happened to be an exception. There is the Rector, chosen by the Procurators of “the nations,” representing the republican spirit of the institution. There are Regents, who are the governing body as of old, though they are now also the teachers. There are Deans, or doyens, a Principal, and a Sacristan. It is perhaps, however, in the humblest grade that we shall find the most expressive vestige of Parisian customs. The fresh student during his first session receives the name of Bejeant, from the Bejaune—a class for whose protection from the snares by which they were surrounded many ancient regulations of the University of Paris make anxious provision. The Scots universities had privileges of exemption from the jurisdiction of legal tribunals, like their more populous and wealthy contemporaries. As it affected the universities in great Continental cities, to which students flocked by thousands, these exemptions represented a great policy, whether it was a wise one or not. The place dedicated to learning, and those abiding in it, were a separate independent state, with all the necessary machinery of government. The privilege did not end here, where its boundaries were distinct, but followed the denizens of the place when they went beyond its walls, creating inextricable entanglements with other authorities. The great Continental universities enjoyed the countenance both of the civil and the spiritual powers, and carried their privileges with a high hand. In Scotland such instances of a

government within a government did not fit easily into the national institutions ; and the universities, losing in their infancy, as it were, the protection of the Church, could not fight a strong battle for them. They did, however, occasionally fight for having them in their utmost purity, as they might be enjoyed in Paris or Vienna. Such contests, especially brought down as they were into the eighteenth century, are, when mixed up with the contemporary current of events, only incidental troubles overcome and forgotten. But when we connect them with the history of the great confederation of literary republics to which the humble universities of Scotland nominally belonged, they are curious relics of a great policy, intended to influence the whole Christian world.

Whatever influences for good or evil these privileges may have had, it cannot be doubted that each of these universities was a centre of civilising or enlightening influences. In later times, plans for planting the apparatus of a high education in poor and remote districts have mortified their projectors by imperfect results or utter failure. For a long time, however, the Scots universities were a great success. They came just in time to serve the Reformation party, among whom there had arisen an ardent zeal for scholarship. Their opponents desired to be armed in like manner for the controversy. Hence it was that, during the latter half of the sixteenth century and the early portion of the seventeenth, the foreign universities swarmed with learned Scotsmen. They might be both teachers and learners, for the absolute distinction now established between the two grades did not then exist. The old-established staff of professors in the Scots universities are called Regents. The regents, as we have seen, were the governors or administrators of the several establishments, and were not necessarily or exclusively the teachers belonging to it. By later practice, however, the regents monopolised the teaching, and regent and professor became generally synonymous. Of old, however, every graduate had the privilege of teaching. Thus the Scot, having acquired such learning as his native university supplied, would pass over

to foreign parts, and do his work—teaching what he could communicate, or learning what he desired to know, according to the condition of his means and motives. This gave to the Scots, cut off as they were from the natural brotherhood of their close neighbours of the same family, privileges of citizenship and community over Europe, the breadth and fulness of which it is difficult now to realise.

CHAPTER XL.

CONDITION OF THE NATION FROM THE WAR OF
INDEPENDENCE TO THE REFORMATION.*(Continued.)*

SCOTS SCHOLARS—THEIR EARLY FAME ABROAD—COMMENCEMENT OF NATIONAL LITERATURE—THOMAS OF ERCILDOUN—RISE AND PECULIAR CONDITIONS OF A PATRIOTIC LITERATURE—BARBOUR, BLIND HARRY, WYNTOUN, FORDUN, BOWER, BOECE, MAJOR, BUCHANAN, LESLIE—'THE COMPLAYNT OF SCOTLAND'—INFLUENCE OF THE PATRIOTIC LITERATURE—DUNBAR, MONTGOMERY, AND THE OTHER POETS—LANGUAGE OF SCOTS LITERATURE—VESTIGLS OF CELTIC LITERATURE—PRINTING—THE ARTS—SIGNIFICANCE OF THE ECCLESIASTICAL AND BARONIAL REMAINS—SHOW THE POVERTY FOLLOWING THE WAR, AND THE INFLUENCE OF FRANCE—MATERIAL CONDITION OF THE COUNTRY—EXPORTS AND IMPORTS—MINING—GOLD, SILVER, LEAD, AND COAL—A SPANISH AMBASSADOR'S ACCOUNT OF SCOTLAND IN THE FIFTEENTH CENTURY.

It was among the many misfortunes brought to Scotland by her ceaseless struggle for national existence, that an excessive proportion of her intellectual affluence was given to foreign lands. This sacrifice was, no doubt, obvious to the founders of the universities, who thought there might be a fairer balance of trade in the matter of scholarship if their own country could command quiet retreats for learned leisure, amid comfort, the luxuries of the age, libraries, and good society. The earliest native of Scotland to gain a lasting fame in letters was John Duns, commonly called Scot or Scotus. At the time when

Robert Bruce was fighting at the head of the national party, John the Scot was teaching divinity and metaphysics in Paris and Cologne, and making to himself so brilliant a reputation that it might be a fair question for discussion whether or not he was the most illustrious intellectual leader of his day. In the religious world, he was the leader of the Franciscans; in the philosophical world, he was so much the author of Realism that the school who opposed the Nominalists got from him the name of Scotists.

Scotland at that time had work all too serious at home to participate in the intellectual treasures which her illustrious son was bestowing on the world. To trace in detail his history, and that of his countrymen who afterwards signalised themselves in the great republic of letters, would be away from the present purpose. Having taken note of him as foremost in the rank of a great body of men who made their country famous abroad, let us turn to such Scots literature as had a home influence. Of this, even, there can be no room here for a full critical examination. It must suffice that the conspicuous specialties, and chiefly those which had a peculiar national character or exercised a strong influence on national feeling, be noticed.

Whether the metrical tale of Sir Tristrem—belonging to the romance school which dealt with King Arthur and his knights—was written by a Scotsman, is a question that has been discussed in a great critical contest. The author to whom Scott and others, who maintain its Scots origin, trace it, is Thomas of Ercildoun, or Thomas the Rhymer. His name was popular in Scotland, and is still remembered. He had the fame not only of an epic poet or bard, but of a prophet, occupying in his own country somewhat of the position held by Merlin in England, and afterwards by Nostradamus in France. All great national events—all national calamities, especially such as the English invasions—were reputed to have been prophesied by him in rhymes repeated by the people. When compared with the corresponding events, it was ever the fate of the prophecies of "True Thomas" that

they had been uttered in vain to a careless and unbelieving people, who culpably neglected the warning thrown out by the patriotic seer; yet it is hardly consistent with the logic of prophecy that it should preclude its own fulfilment. His fame was founded in other shapes. The wildest and strangest of the fairy ballads of Scotland are devoted to True Thomas, and his dealings in fairyland with the Queen of Elfin and other persons in authority there. It is, indeed, around his name that the great bulk of the fairy lore of Scotland is found to cluster.

Thomas of Ercildoun was a real man; his name was Learmonth, and his property of Ercildoun has been traced in charters. He died a very old man, about the time when Edward I. was shaping his projects against Scotland, leaving by repute, as a legacy to his countrymen, a prophetic warning of the destiny in preparation for them. His name became known abroad as that of a rhymer or poet.¹

At the opening of the romance of Sir Tristrem there is mention of Ercildoun and Thomas. Some boy, or mischievous trifler, has, however, mutilated the passage, by cutting out of it an illuminated letter on its reverse, little conscious, no doubt, of the exciting difficulty which the mutilation was to launch into the literary world, in the decision of the question, whether Thomas was referred to as the author of the romance, or in some other capacity.² It may be said, however, of Sir Tristrem, and of the romance of Launcelot of the Lake, also attributed to a native of Scotland, that they cannot be counted national literature, in the more interesting shape in which we shall find it growing in later times. There is nothing of a national tone and there are no local allusions in Sir Tris-

¹ In the *Epitome Bibliothecæ Conradi Gesneri*, published in 1555, we have—"Thomas Leirmont vel Ersiletonus, natione Scōtus, edidit rhythmica quedam, et ob id Rhythmicus apud Anglos cognominatus est. Vixit anno 1286." This, with many other valuable notices, is not to be found in the *Bibliotheca* itself, only in the *Epitome*.

² The substance of the discussion will be best read in Scott's edition of the romance, and in Price's edition of Warton's *History of English Poetry*.

trem, to give help to the argument that it was written by a Scotsman. King Arthur and his chivalry were the materials of a romance literature common to all Europe. To Thomas Learmonth it would have made no perceptible difference in language and tone of feeling, had he lived on the south instead of the north side of the Tweed. It would be known to him only, if he was the prophet he was afterwards held to be, that a time would come when the people inhabiting his Ercildoun and the neighbouring glens would hate, with the deepest feelings of national hatred, their neighbours on the other side of the river.

In the next stage of Scots literature we find it animated by that hatred. On this account it is a literature coming especially under the notice of the historian, who, when he deals with it, has to regret that its coming was so long delayed. There is, indeed, a great gap in the home sources of Scots history. It was about the year 660 that Adamnan wrote his *Life of St Columba*. Adamnan was not a native of Scotland, but he lived in Iona, where he was abbot; and what he gives us of Scots history, or national peculiarities, comes from one who was living in Scotland. We have nothing else written about the annals of the country, by one dwelling in it, for some seven hundred years, when we come to John of Fordun, writing his chronicle in the year 1385. There is the *Chronicle of Mailros*, supposed to have been kept by the monks of that great Cistercian abbey. But during the period it covers, which is before the War of Independence, these churchmen were to be considered as Englishmen rather than Scotsmen, owing their spiritual allegiance to the successors of St Cuthbert. The history of Scotland does not preponderate in the chronicle; it receives little more notice there than from the ordinary chronicles of the English monks.

Our excessive poverty in this kind of literature is shown in the greed with which we seize on every crumb that reaches us from the affluent collection of English chronicles. We have first the help to be found in the writings of Bede, exceedingly precious, although they profess only to bear on ecclesiastical matters. They carry their value in their own internal evidence, and it is certified by the

precision with which his narrative fits into that of Adamnan. The narrative of both is carried on in the chronicle attributed to Simeon of Durham; and whether written by himself, or by another monk named Turgot, it is the work of one who lived and saw what was going on in the year 1100. It is from Ailred of Rievaulx and Richard of Hexham, as contemporaries, that we have accounts of Scots affairs at the time of the Battle of the Standard. For what of chronicle information we receive about the wars of Wallace and Bruce's time, we must still take the English chroniclers—the Scalacronica, the Chronicle of Lanercost, Hemingford, Trivet, and Langtoft. The succession of chronicles kept by the monks of St Albans, and especially those of Walsingham and Rishanger, contribute, out of their abundance, notifications about the affairs of Scotland of the utmost value to the gleaner of intelligence. It is, for instance, Rishanger who has preserved to us that signally interesting incident omitted in the English records—that the community of Scotland had put in a pleading against King Edward's claim of superiority, while the nobles and the Church were silent. There are, besides these, Mathew Paris, Roger of Wendover, Florence of Worcester, William of Malmesbury, Henry of Huntingdon, and Mathew of Westminster. One might go on enumerating the English chroniclers to whom Scots history is indebted, but the process would only be a long list of names.¹

¹ The treasury of English chronicle lore is so vast, that hitherto those best acquainted with it have shrunk from the gigantic task of estimating and analysing its resources, so as to let the outer world have a notion of what they are. A gallant effort in this direction was made by Bishop Nicholson in his three *Historical Libraries*. We owe much to the labours of Hearne, and not less for the chronicles edited by himself, than for his resuscitation of the memoranda of readings among the chronicles left behind him by that voracious devourer of parchment lore, Leland. Everything that has been done in this shape, however, will be totally eclipsed by the great work of Sir Thomas Duffus Hardy, the '*Descriptive Catalogue of Materials relating to the History of Great Britain and Ireland to the end of the reign of Henry VII.*' Three volumes of this work have been issued, coming down to the year 1327. The service thus already conferred on British history can only be estimated by those who have gone to the

What it is of moment to remember is that, during the several centuries when Scotland had no recorder of passing events, England had always one or more, contemporary with the times of which he was the annalist. It is a necessary result of this that, during a period when she had her life-struggle with her great enemy, Scotland must take the account of her own conduct almost entirely from the side of that enemy. When Scotsmen began to write their own annals, they did so in a tone of vehement patriotism, inspired by the hot struggle not yet over. Barbour's Bruce was written about the year 1350, and Blind Harry's Wallace a full century later. We have seen something of the character of both works, in going over their historical ground. It may be questioned if either author reaches the standard of poetry according to the æsthetic notions of the present day; nor, indeed, did their task, as rhyming chroniclers, demand that they should. But the national feeling, burning within them, forces itself out occasionally in composition which has the dignity and power of the heroic. These passages may be counted as examples of the old Roman idea expressed by Juvenal in his first Satire, that strong passion comes forth in poetry.

In the period between these two, we have another rhymers—Andrew Wyntoun, the Prior of the Monastery of St Serf, on an island in Loch Leven. His was an ambitious project—a metrical history of the world from the creation to his own time. He has given so large a place to his own country, however, in the general dispensation of human affairs, that his work is virtually a chronicle of Scotland. The matter alien to Scotland omitted in Macpherson's edition is retained in Laing's, as valuable for etymological purposes. Wyntoun is less poetic even than the others; and his idea of his task would probably have rendered him as little grateful for compliments to his poetic power as any historian of later times is to those who call him flowery and imaginative. To many of the metrical

book for practical assistance. The learning and sagacity concentrated in this service are on a scale reminding one rather of the Benedictines of St Maur, than of the common run of contributions to English historical literature.

chroniclers, indeed, the use of rhyme rather served for restraining verbal luxuriance than for encouraging poetic licence. The couplet became the measure within which a distinct assertion or proposition had to be set forth.

Wyntoun hands us over to the most characteristic class of early Scots authors—those who wrote the complete history of their native land. The “*Scotichronicon*,” so often referred to in these pages, was written down to the middle of the eleventh century, by John of Fordun, and was thence continued, by Walter Bower or Bowmaker, Abbot of Inchcolm, down to the middle of the fifteenth century. Although it is usual to speak of the work as Fordun’s *Chronicle*, yet the continuation, as coming from one who told of events, all of them nearer to, and some of them contemporary with, his own day, is the more valuable part of the work. In Fordun and Wyntoun we have the earliest detailed narrative of that fabulous history which has had so great an influence on Scots literature, and even on political events. It owed its most egregious development to Hector Boece, who added to the history of Scotland many wonders, some of which have been already noticed. Through his *History*—two editions of which were printed in Paris—the wondrous tale of the annals of Scotland got a hold on the European mind. It is noticeable that Hector Boece’s narrative, wild as it would now be counted, was skilfully adjusted to the conditions of belief in his own time. In whatever savours of the supernatural, he deals with far more caution and reserve than Geoffrey of Monmouth, the chronicler of the Anglo-British heroics, or Geoffrey Keating, the historian of Ireland. It is easy, indeed, on a comparison, to imagine a time when these would be dealt with as wild romances, while Boece’s work might be accepted as sober history. As credulity faded before advancing knowledge, however, there were others to adapt the tale of Scotland’s ancient and glorious history to the taste of the age. Even while Boece lived, the sceptical could find relief from his exaggeration in the sobered narrative of John Major, a doctor of the Sorbonne, with a European reputation as a commentator on *The Books of*

the Sentences. But it was the splendid History of Buchanan, welcomed by the learned world as the restoration of classic Latinity, that gave the history of Scotland its strong position as part of the annals of mankind. If there were orthodox Romanists to question the tale of the brilliant heretic, there was his contemporary, the devout Bishop Leslie, telling in homelier Latin the same tale, and realising it by the actual portraits of Father Fergus and his descendants, worthily executed for the editions of his History published in the holy father's own capital of Rome. This community of testimony is characteristic of Scots sentiment and conduct. There was hot controversy between Scotsmen then, and long afterwards; but each party, however fierce in abuse of the other, stood up for the ancient dignity of the native land common to both.

The fabulous history of Scotland, as we are now bound to call it, was brought into existence with a great national object. It was to vie with the equally fabulous history of England, and to establish a case for ancient independence which might neutralise the story told by King Edward to the Papal Court about Brutus of Troy and his three sons. The tenor of the case for Scotland was as follows: We are first introduced to an unfortunate division in the royal family of Greece at the period of Moses. It ended in Nicolas, King of Greece, sending his son Gathelus out of the country. The young prince went to Egypt, where he became attached to and married Scots, the daughter of that Pharaoh who was drowned in the Red Sea. The young couple took to wandering, and getting out of the Mediterranean, they founded a state called Portus Gatheli, and now known as Portugal. At length they arrived in Scotland, and settled there. Long afterwards, Ptolemy, King of Egypt, sent ambassadors to Scotland, who were surprised to find how well the country, ruled by the descendants of the Egyptian princes, adhered to the ways of the dwellers on the banks of the Nile. "They persaiwet," says Bellenden, in his translation of Boece, "the same writs, the same manner of writing, the same tongue, and the same habits and ceremonies, as was usit among the Egyptians." Some

time elapsed, however, before the country resolved itself into a firm monarchy. It was about three hundred years before Christ that a descendant of Gathelus and Scota, named Fergus, reigned supreme. Descending from him, the "Fergus, father of a hundred kings," there was an unbroken royal line. Malcolm Canmore, the first in whom we can now, from authentic sources, identify the attributes of a king of Scotland, stands in this dynasty as the eighty-sixth king.

So skilfully was this story told, that, in the modified version of Buchanan, it lived after the fabulous elements were deducted from the history of England and of many other countries. Scotland received homage as the most ancient of European monarchies. After the union of the crowns, it was usual to distinguish Scotland from her neighbour as "the Ancient Kingdom." The fabulous history had great political influence. A belief in the antiquity of the royal line had a constitutional effect in favour of the monarchy, which was valuable to those who ruled so restless and self-willed a people as the Scots. After the Revolution, however, it had a disturbing influence in favour of the Jacobite cause. The loss of the house of Stewart was believed to be the loss of the most august dynasty in the world—a dynasty that raised Scotland in the scale of nations. In the thirteenth century, such a house as that of Guelph, with its legends of Roman ancestry, could only think of the Stewart of Scotland as the possible descendant of a Norway pirate, holding humble office under another, who, although he was called a king, had no nobler origin. The connection with the Celtic house of Riadha, which opened to it the succession to the throne, would hardly have given any legitimate lustre to the house of Stewart. The founding on such a connection might have carried little more than a plebeian family of later times would gain by establishing a descent from an American cazique, or some questionable oriental pasha.

When the Hanover dynasty came over to reign in Britain, its best friends would not have measured its ancestral claims with those of the descendants of Fergus. It was

not ancestral lustre, but respectability and political utility, that commended the new dynasty. Curious incidents of the picturesque in literature might be found in the rage with which the earliest doubts about the antiquity of the race of Fergus were received. The doubting went on for ages before it established disbelief, if it has even yet done so. The first malignant whisperings came from the English antiquaries Lloyd and Stillingfleet. The doubters were assailed with hearty goodwill by Sir George Mackenzie, in his *Defence of the Royal Line of Scotland*. Sir George was then lord advocate. He seems to have thought that it became him, as the public prosecutor of offenders, to punish, in what fashion he might, those who threatened to abbreviate the line of his majesty's ancestry; and he hinted that, had the perpetrators lived within the country in which he exercised his powers, he might have felt it his duty to bring them to justice as political offenders against the crown.

The peculiar character and influence of this special literature commend it to the consideration of the historian; but it is not intended, on this occasion, to give more than a brief allusion to other departments of Scots literature, which, in the eyes of the critic, might be equally or more important. With Major and Buchanan there arose a school of Scots authors in prose and verse who, addressing themselves to the learned world at large, wrote in Latin. These were but beginning at the period we have reached, and the bulk of their services belong to a later age. As a characteristic morsel of the patriotic literature of the country, we must include 'The Complaynt of Scotland,' printed in 1548, and proving itself to have been chiefly written while Henry VIII. was pressing on the country with cruel wars and treacherous offers of peace. Who was the author of this piece is matter of dispute.¹ The work is a prose pastoral, with a strong tinge of the

¹ 'The Complaynt of Scotland' was reprinted and edited by Leyden, with a copious introduction, and was re-edited in 1872 for the Early English Text Society, by James A. H. Murray, who thinks the author was one of the Wedderburns afterwards mentioned.

practically political. Its writer is by courtesy a shepherd. He thus belongs to the class best fitted to take a survey of human life at large, or any portion of it. They are not subjected to "the corrupt infection and evil air that is generit in ane city, where most confluence of people resorts;" but "we live on the fragrant fields, where we are nourished with the most delicious temperate air, and there is neither hatred, avarice, nor discord among us."¹

For his meditative and reflective purposes he takes up his position with much picturesqueness:—

• "I passed to the green wholesome fields, situate maist commodiously fra distempered air and corrupt infection, to receive the sweet fragrant smell of tender grasses, and of wholesome balmy flowers most odoriferant. Beside the foot of ane little mountain there ran ane fresh river as clear as beryl, whar I beheld the pretty fish wantonly stertland with their red vermyl finns, and their skails like the bright silver. On the other side of that river there was ane green bank full of rammel green trees, whar there was mony small birds hoppand fra busk to twist, singan melodious reports of natural music in accords of measure of diapason prolations, tripla and diatesseron, that heavenly harmony appeared to be artificial music."²

The devious meditations which start so pleasantly, find a gloomy present in the country tortured by the harassing assaults of King Henry, and contemplate a gloomy future, only brightened up by exhortations to the author's countrymen to take heart and fight out the battle of national independence to the last. The book is so saturated in classicalities, that any glimpses we have of the condition of the country have to be seen through a Greek or Roman medium, by which they are sadly distorted; and at the points where curious information might be expected, a grotesque mixture of modern purpose and ancient illustration comes in its stead.³

¹ 'The Complaynt of Scotland,' 70.

Ibid., 57.

² So we have a parable of a "cordinar" or shoemaker from the internal contests in Rome, after the slaying of Julius Cæsar:—

"He by gret subtlety nourised twa young corbies in twa cages, in

There were several writers in verse who, aspiring beyond the mechanical rhyming of the annalists, aimed at true poetry. Such were King James I., James V., or whoever wrote the poems attributed to him, Henryson, Dunbar, Montgomery, Bishop Douglas, and many others.¹

two sundry hooses, and he learned them baith to speke. He learned ane of them to say, 'God save thy grace, noble victorious Augustus Cæsar!' and he learned the tother to say, 'God save thy grace, noble victorious Emperor Anthonius!' Then this subtle cordinar set ane of his corbies that gave loving til Augustus forth at his window in the plain rue when he beheld any gentilman of Augustus allya pass or repass before his hous; and siclike he set forth his tother corby at his window when he beheld any of the allya of Anthonius pass or repass before his house. The whilk thing he did to that effect that he might win the favour of Augustus, and not to tyne the favour of Anthonius. Of this sort he was like to the sword with the twa edges. Then when Augustus Cæsar vanquished Anthonius, and was peaceable emperor, this subtle cordinar prevented the corby til Augustus, whilk gave him loving in her artificial speech, of the whilk Cæsar was very glad, wherefore he gave to the cordinar fifteen hundred pieces of gold. But soon thereafter it was reported to Augustus Cæsar that the said subtle cordinar had ane corby that gave as great loving to Anthonius. Then Augustus caused the said corby and the cordinar to be brought to his presence; and when he persavit the cordinar was ane astute subtle fellow, and dissimulate, he gart hang him on ane potent before the Capitol, and his twa corbies beside him."—P. 285, 286. The moral of the story is the folly of dubious councils, and the especial folly of temporising with the King of England, from whom nothing is to be gained or hoped. If he comes in war, let him be resisted; if he comes with proffers of kindness, let them be suspected and flung back upon the treacherous giver. War to the utmost, all men turning "special valiant defenders" of their native country, "is the true policy of Scotsmen." "For as Thucydides says in the thirteenth chapter of his first beuk, quoth he, As it is convenient to honest and prudent men to live in peace when their neighbours does them no outrage nor violence; siclike it is honest and convenient to virtuous men to change their peace, and rest in cruel war fra time that they have receivit outrage and violence from their neighbours. For the changing of ane dissimulat peace into a cruel war shall be occasion for ane firm and faithful peace."—P. 290, 291.

¹ For a critical account of the productions of these early poets, see 'The History of Scottish Poetry,' by Dr David Irving, a posthumous work, edited from his manuscripts by his friend Dr Carlyle. Dunbar and Henryson should be read in the accurate versions edited by David Laing, and with the aid of his valuable explanatory matter. Hopes are entertained that we may soon have the works of Sir David Lindsay dealt with after the same fashion, by the same accomplished hand

Those who, after overcoming the difficulties of the spelling, are able to enter into the spirit of their poems, are generally surprised, when remembering the tenor of the times in which they were written, by the tenderness and beauty of the sentiments, and the polished harmony of the versification. Their tone generally belongs to what in modern æsthetical phraseology is called sensuous. There are descriptions extremely minute of real objects or real actions, and with these are connected, by the poet's skill, associations and sentiments touched with some passionate ideas generally of a pensive kind. These early Scots poets draw largely on nature. They are full of descriptions of natural objects—fresh waters, woods, flowers, and birds. In this dealing with the world of nature there is a notable peculiarity. The present tone of the literature of natural objects would lead us to expect that in Scotland a poet of nature would seek a topic suited to his genius in the mountain scenery of which the country has so many grand examples. We would expect something of the tone of which the poems of Ossian, as rendered by Macpherson, are so full. But the inner eye for these things had not been opened in the early Scots poets. They might have written what they draw from nature and rural life in the flattest parts of England, or in Holland. It is safe to say that, in all this school of poetry, there is not a single reference to mountain gorge or cataract as an object of poetic thought. There is one poem, indeed, that, in the character of a flagrant exception, proves the rule that these poets were incapable of feeling sublimity or beauty in mountain scenery. In the Lament of Duncan Laidens there are pensive reminiscences of some tracts of Highland scenery much beloved at this day by tourists. Now Duncan Laidens was a robber and a cut-throat—a leader of Highland cateran. He is supposed to utter his pensive recollections within sight of the halter. The spots his recollection fondly dwells on are the scenes of his robberies and murders, and the author of the piece thought it good irony to make the man of horrible character talk with admiration and affection of those horrible places.

There were some satirists in this group of poets—among these Sir David Lindsay stood unrivalled. This is the class of poetry that most imperatively of all demands that, to relish its character, we should be conversant with the nature of the times—with the persons and the things on which it alights. Old Davy Lindsay was transcendently popular. We see the marks of his influence on the history of the times, and can understand how it was so, when we read his potent attacks on the abuses of the day. He was a consummate artist. His riotous wit seems to drive him before it; but when his sarcasm is sharpened for a hit it never misses its aim, but strikes the victim right in the face. We have seen in the history of the Reformation some traces of his handiwork.

The literary merits of Knox's works would claim a place here, were they not also referred to in connection with their political influence. It may be mentioned that in more than one quarter Knox was charged with innovation on the old language of his country, which he corrupted by modern innovations. When put in a friendly shape, the import of the charge is that he improved the language of his country, as he reformed its religion; and it is a singular coincidence, that Luther has the fame of reforming the language of Germany, and Calvin of reforming the language of France.

The language of Scots literature was fundamentally a pure Teutonic of the Anglo-Saxon family. It took nothing, as we have seen, from the Celtic dialect spoken by the inhabitants of a great portion of the country—the language of those who gave it the name of Scotland. The relations of Scotland with France were too superficial to affect the structure of the language, or even its vocabulary farther than in the supply of a few words, which avowed themselves to be foreign in the method of their use. The old Scots has less of classic admixture than the old English. This is one of the things that can only be stated as a general opinion taken from general reading. Where such things are matter of degree, there is seldom a means of coming to precise comparison; and here we have it, as a disturbing element, that in both countries some authors affected words of Greek or Roman origin more readily

than others. That the Scots should have less of this element than the English, is in conformity with historical conditions. The Teutonic nations of the Continent admit no mixture of the classical—if they have words of Greek or Roman origin, these are distinctly marked off as foreign. There is no doubt that the mixture confers an unexampled richness and subtlety on the English language, by giving the means of expressing abstract or spiritual terms without having recourse to the words used for the practical purposes of everyday life; and affording a double nomenclature, which may be called the real and the ideal, as in the words “cleanness” and “purity;” in “age” or “oldness,” as a different quality from “antiquity,” and the like.

There cannot be a doubt that England took this, with so many other things distinctive of the English people, from the Normans, who brought with them the language of the most eminent of the Latin races. We have the Anglo-Saxon Chronicle written in the purest of Teutonic while Norman-French was the language of the Court, and there emerges the English of later times enriched with words of classic origin stripped of their French garb. This, like the other novelties coming of Norman usage, spread but faintly into Scotland, and so the language there remained nearer to the character of the old Teutonic stock.¹

It would be difficult to realise the difference in pronunciation between the languages of the two countries three hundred years ago, and were it conceived it could not be expressed. The living persons are very few who remember the separate language of Lowland Scotland as spoken

¹ An interesting inquiry might be directed to the words belonging to the Scots but not to the English language, which are still used in any of the Continental Teutonic nations; and to make complete results, the next question in each case would be, whether the word common to both was Anglo-Saxon, though it has ceased to be English. Every Scotsman travelling abroad feels that the pronunciation of the languages which have not admitted any classical mixture is more akin to his own than to the English. Three consecutive numerals in Scots will be almost sufficient to show this: *sax, seyven, aucht*. “*Hall aucht*” means half-past seven—an idiom which Englishmen who have been in Germany will at once identify both in pronunciation and idiom with one of the national oddities.

by people of education and condition. It lingered with a few living secluded lives in remote districts, yet holding a local position which put them above the necessity of compliance with innovating fashions; and those who have heard these lingering vestiges of a national tongue must ever retain an impression of its purity, force, and beauty. It was not the English language of the cultivated classes of the present day; yet though distinct, it was not so far apart from it as the language of the uneducated in Scotland, and for that matter in England too.¹

To this negative account it is difficult to add anything save further negatives. The spelling of old Scots, tried by the modern powers of letters, is not to be taken as a test of its pronunciation. All readers of old books are familiar with the eclecticism of their spelling—how, even after the art of printing made a pressure on uniformity, the same word might appear on the same page in two, sometimes three, different spellings. Spelling varied more easily than pronunciation; and, apart from any such generality, it can be easily shown that the sounds expressed by letters used in both nations in the fifteenth and sixteenth centuries were quite different from the sounds expressed by the same letters in modern times.²

¹ It is fortunate that a man with capacity and patience for the task should have set himself to store up a record of the peculiar language of the Scots people ere yet it had entirely ceased to be spoken by the educated. The Etymological Dictionary of the Scottish Language, by Dr John Jamieson, is of great value to the present generation, and promises a value in the future to an extent not to be easily pre-estimated.

² Of the language as used in literature, state papers, and some other kinds of documents, several specimens will be found in the preceding pages—specimens, perhaps, all the more suited to afford a fair test of the character of the language, that they have not been selected with that object, but each for some separate purpose appertaining to itself. This opportunity may be taken for explaining the manner in which the author has rendered passages so cited, in the matter of spelling. Words which are especially Scots, whether because they were never used in England, or have become obsolete there, are scrupulously retained. Of words still in use, however, the spelling in which they are found is not always employed. Those who must have *literatim* spelling do not trust to histories, but go to the earliest rendering in manuscript or print. For providing the reader with a notion of the

It was not until the year 1507 that the art of printing came in aid of the national literature of Scotland. It was brought in by Walter Chepman, under the favour of James IV., who, curious in shipping and other mechanical triumphs, seems to have felt much interest in the printing-press. Chepman. with an assistant who is supposed to

words used, the original spelling would be very fallacious. Besides many instances in which it is likely that letters have changed their powers while spoken words have not, we know many instances in which the change in the power of the letter is certain. There are the well-known instances of *j* for *i*, and *v* for *u* and *w*. The letter *o* had sometimes the sound of the diphthong *æ* with a leaning to the *e*, as where the pronoun *she* is written *sha*. *Quh* was used to express the sound of *wh*. *Z* was identical with our present *y*, and *you* was spelt *zou* or *zu*. The Scots peasantry, in dealing with names, tell this to the present day. Thus where certain family names are spelt and pronounced by Englishmen thus, Mackenzie and Menzies, they are pronounced by the peasantry as *Mackenyie* and *Menyies*. So of places—Cockenzie, Edzel Castle, and Culzean Castle, which are respectively called *Cockenyie*, *Edyel*, and *Culyean*. The dealing with the letter *y* itself is a specialty of a troublesome kind. It represents one of the last remaining of all the Gothic contractions, which made a theta in the alphabet, as representing the sound of *th*. This letter was very like the *y*, differing only in having the left limb elongated upwards, and a horizontal line from it to the other limb, making a triangle. When this remained as the last of the contractions, the printers of the sixteenth century began to use the *y* instead of it, whence came the well-known *ye* for *the*, and *yat* for *that*. As a specimen of the way in which the author thinks the spelling of these old writings may be changed with every chance of making it a better representative of the sound, the following passage is given as it is *literatim* printed by the scrupulous editor of the State Papers of Henry VIII. It is a passage of no great moment, taken from a letter by the widow of James IV., that Queen Margaret, who was an English princess, yet spent the greater portion of her days in Scotland:—

"I haif resaiffit zour lettir be Mons. Gpizolis wyth ane letter of ye lordis; ye quhilk hes schawin me ye ordinance yat ze and yai haif maid, and how yai have prait and ordand me yat I sall nocht abide wyth ye kyng my sone, bott tocum quhillis and se hym. My lord, I thynk it rycht strange yat yis is zour will, seing ye gud and trew part yat I haif kepit to ye kyng my sone, and to zou, and to yis realme, and ye displesure yat I haf had of ye kyng my boyer, my frendis, for zour part."

The author thinks that the words used by the writer will be better rendered to the present generation thus:—

"I have receivet your letter by Monsieur Gonzales with ane letter

have provided capital for their joint undertaking, got a grant of exclusive privilege, or letters-patent, as the document might have been called in England. It gave authority for printing the ritual books of the Church; and through Chepman's press there is fortunately preserved to the present day the national service-book, elsewhere mentioned as the Breviary of Aberdeen.¹

This book of church service, remarkable as a fine specimen of early printing, was, like the foundation of King's College in Aberdeen, due to the munificence of Bishop Elphinstone. When it was issued, copies of the Breviary of Salisbury were excluded from Scotland as contraband goods. Besides the national prayer-book, the Acts of Parliament and other works of public utility were referred to in the grant of privileges to the first printer as books likely to come from his press and to justify the grant of privileges. These were deferred until a later period. The earliest productions of the press in Scotland, so far as vestiges remain, were knightly legends, and the productions of Dunbar and other contemporary poems.²

of the lords ; the whilk has shown me the ordinance that ye and they have made, and how they have praid and ordaind me that I sall nought abide with the king my son, but to come whiles and see him. My lord, I think it right strange that this is your will, seeing the good and true part that I have keepest to the king my son, and to you, and to this realm, and the displeasure that I have had of the king my brother, my friends, for your part."—State Papers (Henry VIII.), iv. 59.

¹ See chapters viii. and xxxvii.

² A volume of these, of which the only copy known is preserved in the Advocates' Library, was reprinted in facsimile by David Laing, with an instructive introduction. The reprint is an extreme rarity, as the impression was nearly all burned by a fire in the establishment where it was printed. The editor gives, in his introduction, the grant of exclusive privileges by the Privy Council, in 1507, to Chepman and his partner Millar. It is set forth that they, "at his majesty's request, for his pleasure, the honour and profit of his realm and lieges, had taken upon them to furnish and bring hame ane print, with all stuff belonging thereto, and expert men to use the same, for imprinting within the realm of the books of the laws, Acts of Parliament, chronicles, mass-books, manuals, matin-books, and partures, after the use of the realm, with additions and legends of Scottish saints now gathered to be elged thereto, and all other books that shall be seen necessary; and

The later history of religion and education in the Highlands would not lead us to suppose that the press had early fruit in Gaelic literature ; yet, as we shall see, of the first Protestant prayer-book, commonly called John Knox's, a translation was printed for the use of the Celtic inhabitants of the Isles soon after it had been published in the Scots vernacular. This leads to the recollection that the language now and for long called Scots is not the only language spoken in Scotland—that indeed there is another, which, whether or not it be older in common use, is certainly older in literature.

Any glance taken over the literature of Scotland at this period will naturally comprise that of the Lowlands only, omitting the Highlands as naturally as the critic of the Elizabethan period of English literature passes by the Welsh bards and anything they have to say. That the sovereign state of Scotland took its name from that of the Irish Celts who colonised the country, and that these were the first to teach the art of writing and to spread learning and civilisation through the country, had been buried under the eventful history of their Teutonic neighbours. That the despised Celt might treasure the remnant of the old heroic poetry sung in the days when his ancestors were civilised and those of the Lowlander were barbarian, was unlikely to occur to the scholars who studied in the French universities, or to the other leaders of opinion in Scotland, at the period we have reached.

It is now known, however, that the traditions of the Irish mythical history, which supplied the skeleton of Macpherson's poems, existed at least down to the Reformation. James Macgregor, Dean of Lismore, the ecclesiastical metropolis of Argyle, who lived nearly down to the Reformation, left a written volume containing transcripts of poems preserved orally or otherwise among the Highlanders. They contained much vague reference to Highland affairs near their own time, and to "obscure

to sell the same for competent prices, by his majesty's advice and discretion, their labours and expenses being considered."—Laing's Introduction to reprint of 'The Knightly Tale of Golagras and Gawane.'

matters of monkish tradition which may have had a Highland local influence in their day. What gives them their chief interest, however, is that they possess, at least in the names of the heroes who come forth in them, a conformity with those traditions which Irish scholars believed to be history, and out of which James Macpherson made his noble poems. It would be hard to conceive that in the language they were translated from, or in any language into which they could be put, the legends preserved by the Dean of Lismore could take shape as poetry. The tenacity, however, with which the original Irish legends, and especially the notion of a great conquering and regenerating king called Fin or Fian, have been thus preserved, is an interesting feature in ethnology, if not in literature.¹

All that can be said of the condition of early art in Scotland comes within narrow compass, but tells an impressive history. A country possessing the means and the skill to raise edifices of stone, or even of brick, is likely in them to leave the clearest testimony to its condition, unless it has advanced so many stages farther in civilisation as to leave a treasury of literature and art. Scotland, before she had many other means of telling her condition to later ages, had buildings ecclesiastical and baronial. These afford, perhaps, but a narrow source of information; but it is, so far as it goes, distinct and complete. We have seen that, down to the War of Independence, many noble churches had been built. They followed or accompanied the procession of the same class of buildings in England. First we have the round-arched Norman—the transition stage between classic and Gothic or pointed architecture. Next comes the earliest type of pointed architecture, which proves its origin by the name it has been longest known by—the Early English. In the estimation of many this is the noblest style of Gothic architecture—the true type of the school, beside which all others are to be held either as the imperfect develop-

¹ On the Book of the Dean of Lismore, and its connection with the Ossianic poems, see chapter v.

ment or the degeneracy. Its leading character was the aspiration after loftiness, by a tendency to height rather than breadth in all its features, the spirit of the pointed arch ruling the whole. It was frugal in decoration, trusting more to the general influence of size and structure. The buildings of this style were lighted by separated, long, narrow windows, terminating in the characteristic pointed arch. When the Gothic shifted out of this solemn simplicity into the next style, called the second-pointed, the most remarkable type of the change was the grouping of these long, solemn, simple windows together, so as to bring them into a structural connection; and next, by narrowing and decorating the massive separations between the openings, so as to resolve the line of separated pointed openings into the large Gothic window of a later age, in which groups of lights were intersected by narrow stonework, according to the varied fantastic shapes which every one is acquainted with in a mullioned Gothic window.

It is useful to note the facts of this transition, because they interpret the historical testimony which the ecclesiastical remains of Scotland furnish to us. We have seen that there yet exist noble specimens of the Norman. There are vestiges of early English on a yet greater scale; but after this stage in the transitions of Gothic building, the Scots specimens become distinctly impoverished. It was but a short time before the War of Independence, that the early English type shifted to the "second-pointed" in its own country, England; it may have been a generation later in travelling to Scotland. We may count that it took no root there before the war, and that the struggle for national life found the Scots expending their wealth on buildings raised in that noble style of architecture which they had borrowed from their good neighbours on the other side of the Tweed.

Judging from existing remains, the greatest Gothic buildings Scotland ever had were the three Cathedrals of St Andrews, Glasgow, and Elgin. In each of these the architectural forms which Scotland copied from England are so predominant as to fix the type of the building—

instances of the styles of other periods are incidental adjuncts. What we know of the history of the buildings agrees with the story told by their fragments. The consecration of the completed Cathedral of St Andrews followed close on the battle of Bannockburn, and was in some measure an act of commemorative homage to St Andrew, the patron saint of Scotland, for that goodwill to the cause of his devotees without which they might not have been victorious. The cathedral had been upwards of a hundred years in building, and was probably almost completed before the war began.

The remains of Elgin give us very beautiful specimens of the early English style. The later work on this building is, in comparison with these old massive fragments, scanty and meaningless. We know, however, that the cathedral had to be rebuilt, as it was said, after its destruction by the Wolf of Badenoch; and perhaps its condition in the earliest representations we have of it, about a century and a half ago, give it much as he left it the later work having decayed through time, while the more massive masonry of the early English survived alike his burning and the wasting influences to which the fabric was subjected from the Reformation downwards.

Glasgow Cathedral is the only eminent Gothic building in Scotland still in good preservation. The whole tone of the building and the fundamental parts of its structure are early English, what there is of the succeeding stage being secondary detail. We hear of the completion of the building during the War of Independence. Wishart was at that time Bishop of Glasgow. We have seen his name in curious shapes connected with the attempt to subdue Scotland; and his title of the "Warlike Bishop" is in harmony with the charge against him, that having been licensed by King Edward to cut timber for the completion of the wood-work of the cathedral, this timber he employed in the construction of instruments of war for the siege of the Peel of Kirkintilloch, then held by the English.

The second English stage of Gothic architecture, that of second-pointed, had spread to Scotland before the war,

but it was not long enough coeval with the fortunate period of the country to produce any great edifice. We owe to it only a change in the later works of the great remnants, and a few secondary buildings. There is visible, to any one who looks at the remains of Scots ecclesiastical architecture, a distinct gap. The war did not at once stop church-building. The finishing touches were given to the great buildings planned and nearly completed, and small buildings arose here and there. But there was a collapse, which lasted so long that, when the country was again able to raise costly churches, the national taste and ways had wandered far away from companionship with England. Foreign types came to predominate; and while the ecclesiastical architecture of Scotland down to the war was identical with that of England, the school which succeeded it was as different from the contemporary method of church-building in England as any other foreign style might be.

The only ecclesiastical building in Scotland that in magnificence can be compared to those either entirely or nearly completed when the war broke out, is the far-famed church of Melrose Abbey. It was a very ancient convent, and buildings of some sort had belonged to it as long ago at least as the earliest specimens of Scots church-architecture extant. The Cistercian monastery there was a favourite of the great King Robert Bruce, who largely endowed it. When he thus added to its wealth, there were, doubtless, the ordinary monastic buildings and a church there, though probably at some little distance from the present ruin. It was, however, some hundred and fifty years after his day ere, from the rents of his endowments and their other wealth, the fraternity were able to build their beautiful church. Perhaps Scotland was then becoming rich enough to multiply such examples of architecture; but the Reformation was not in favour of the development of Gothic architecture, and wealth had no farther opportunity of displaying itself in that shape.

When Scotland so far recovered from her depression as to be able to raise distinguished buildings, the departure

from the English type became all the more conspicuous. It is significant of the character of the later English forms that they became more suitable for domestic buildings than the older. But the best means of briefly estimating the character and extent of the divergence will be by comparing the ecclesiastical architecture of England and Scotland at the time of the Reformation. The style then prevalent in England was called the Tudor, but it has had other names, such as the "perpendicular" and the "depressed." Among eminent specimens of this style are Henry VII.'s Chapel at Westminster, the Chapel at Windsor, and Christ Church Hall and Brazen Nose College in Oxford; but in fact it abounds throughout England in specimens great and small. The contemporary style in Scotland was an adaptation of the French flamboyant, a school utterly at variance with the specialties of the Tudor. In the larger features of the latter, straight lines, horizontal and perpendicular, predominate. The mouldings and other decorations, including especially the mullions of the windows, have a tendency to geometrical division by angles and straight lines. On the other hand, the French flamboyant, sometimes called the florid, luxuriates in curves, and has a tendency to throw out from a centre, or an upright line, a symmetrical design coming out in curves, which return as loops to their starting-point after having thrown out lateral curvilinear tracery, the process going on to any extent. To take a very common form of this process—the centre of the design is parallel to the spring of the arch of a pointed Gothic window, and of course midway between the two sides. If all round this point there are grouped curved or loop-shaped departments of the window, they will be narrow towards the centre and will broaden outwards; hence comes the flame shape of the tracery of the windows which has given to the style the name of flamboyant. Fair specimens of this style may be seen in the Cathedrals of Dunkeld and Brechin, the Church of Linlithgow, and the Chapel of King's College in Aberdeen.

It will perhaps afford a more distinct notion of divergence from English practice to speak of what is to be

found there in abundance, and is not to be found in Scotland. The arch of the Tudor period is peculiar to England. It is neither circular like the Roman and Norman arch, nor pointed like the Gothic of the first and second periods. It is from the peculiarity of the arch that the style has been called the depressed Gothic; and to those unaccustomed to it, an arch of this type is apt to justify the term by suggesting that it had been originally pointed, but that the superincumbent weight had pressed on it on either side, and given a horizontal curve to the ribs of a pointed arch. This form has another name—the four-centred arch, because the variation in the curve requires that on either side it should be drawn from a double centre. This arch is abundant all over England, in buildings both baronial and ecclesiastical: there is probably no English county in which it is not the conspicuous and characteristic feature of several buildings. In Scotland it may be said that it is unknown; if there be a single instance of it, that instance must be an exception of mark.¹

These facts suggest two inferences. The one that, for many generations after the War of Independence, Scotland had not wealth enough to raise ecclesiastical buildings on the scale of those completed, or nearly completed, when the war broke out. The other is that, when the country was again rich enough to spend money in this shape, it was no longer England that she sought as her teacher in architecture, but France.

The same conclusions are shown by the remains of baronial or castellated architecture, and perhaps even

¹ Of course an old exception is supposed. In the attempts at the restoration of Gothic architecture in Scotland, this and all the other features of the Tudor type are common. There can be no objection to this; the style has its merits, and if any modern architect can produce a building vying with Henry VII.'s Chapel, it should be thankfully accepted, without consideration for the ethnical history of the style. It is provoking, however, that restorations of buildings of thoroughly Scots type have often been made in this style. St Giles's, in Edinburgh, is a flagrant instance. There are windows of the four-centred arch in King's College Chapel, in Aberdeen, which the author might admit to be the exception he anticipates above, had he not himself seen them let into the wall.

more emphatically. We have seen that there is in Scotland no known remnant of the Norman school—the method of castle-building, from the Conquest down, let us say, to the reign of Henry III. The oldest existing castles in Scotland belong to the succeeding period, known in England as that of the Edwards. As these are the oldest castles in Scotland, so also they are the most magnificent. Not even Tantallon, Glamis, or Craigmillar, the greatest efforts of any later age, can vie with them. A general mystery hangs over them. We do not seem to have means of knowing, as to any one of them, what particular lord of the soil it was who had it built. The remains of some of them stand on the possessions of the Norman houses which were so eventfully connected with Scotland—those, for instance, of Comyn and Bruce. But it would be difficult positively to contradict any one who should maintain that they were all built by the English invaders. The structural history of this noble class of buildings can be traced step by step from the simple square tower of the Conqueror's reign. It has been the natural growth of European fortification to expand into flanking works. At the period of the War of Independence, castles had so far developed in that direction that they consisted of great walls or screens flanked by strong round towers. In England the process of expansion went on down to the Vauban fortress, spreading over an expanse of country. In Scotland the expansion suddenly stopped; nay, more, castle-building went back to the simple square tower, which was a novel feature in England two hundred years earlier. The two were so much alike that strangers taking a cursory tour in Scotland have returned with the impression that the country contains a great many Norman keeps. A close inspection, however, shows distinctions which to the adept are conclusive. The details of the Norman castles are in the style of work still called Norman—the transition between the Roman and the Gothic. The Scots square towers show the work of the fourteenth or fifteenth century, and in their general masonry are inferior to the oldest English castles.

Among the square towers so large as to be mistaken at

a distance for Norman keeps may be counted Clackmannan, Borthwick near Edinburgh, Melgund in Forfarshire, Niddry in Linlithgowshire, Huntingtower near Perth, and many others. The same class of work, however, was repeated in smaller shapes. The country was in one sense amply fortified. The buildings were meagre, significant of the limited means of impoverished builders, but they were very numerous. Many of them, indeed, though for accommodation and the means of domestic comfort they would not have in England been admitted to the rank of yeoman's granges, were still strong fortresses. The peel or bastle-house, which spread a considerable exterior before the eye, would contain three, perhaps only two, small chambers—mere cells let into a solid mass of masonry. These humble fortresses were naturally numerous on the border. Along the banks of the streams they may there be seen at short intervals, more or less in ruins. They are the only remnants of old buildings designed for human habitation in that district. In the border towns, such as Hawick, Roxburgh, and Kelso, the absence of old houses is observable, and at once accounted for by the recollection of the many burnings by the English invaders.

The necessity of some flanking work for these square towers seems to have been soon felt, and the impoverished owner supplied it in an economical shape creditable to his ingenuity. Instead of attempting to run up from the ground flanking round towers like those of the Gothic castles, he perched turrets or machicolations on the corners of the top of the tower. Generally there was one on each corner; but sometimes the laird had to be content with two, which, if placed at opposite angles, would serve to flank the whole four sides of the square block.

Before the time we have reached, the country had been recovering from its prostration, and acquiring the means for enlarged efforts in this and in other directions. It did not, however, follow the example of England; but, as in church-architecture, took its models from friendly France. The spiral character of the French chateau-architecture is well known. It had begun to appear in Scotland, but its full development there was in

the beginning of the seventeenth century. Even already, however, it touched the grim square tower with relieving features. The spiral roof of the French flanking tower was set on the corner machicolation, and by the clustering of ornamental chimneys, and other devices taken from the same source, a certain rich variety was given to the top at least of the old peel tower. Had the houses of the gentry been subject to the influence not of the French chateau but of the English hall and mansion style, known as the Tudor, the internal condition of Scotland would not have admitted of such a method of building. It was one incident to a country where there was a strong central government keeping internal peace. The English squire could turn his castle into a mansion two hundred years before the Scots laird could imitate his example.

Some of the royal residences partook in the profusely decorative character of the Renaissance; remnants of it may still be seen in Stirling, Linlithgow, and Falkland. Among feudal castles, the only one that now preserves the ambitious design and extensive decoration belonging to the period which followed the pointed Gothic, is Crichton Castle, the stronghold of that Chancellor Crichton who had a struggle for supremacy with the Douglasses in the reign of James II. In its "stony cord," with "twisted roses laced," its "courtyard's graceful portico," and the "fair hewn" facets rising row on row above the cornice, it stands in signal contrast to its grim square neighbour Borthwick. Among the few other instances of ambitious decoration on the buildings belonging to subjects in that early period, the best specimens are to be found in a spot where one would hardly expect to find such things—the village of Maybole, in Ayrshire. This, however, was the ancient capital of the bailliary of Carrick, the domain of the Bruces; and within it the Lord Cassilis, the hereditary bailie, and the other magnates of the district, had their hotels or town residences, and formed a little court by themselves.

We know nothing of the personal history, or even the identity, of the architects who planned the palaces, the ecclesiastical buildings, or the feudal castles of the day

—we cannot even tell whether they were foreigners or natives.¹ We can only suppose, from other conditions, that Scotland had not within herself sufficient art to compass the finer work in the palaces and churches, and that it was done by foreigners. The mason must go to the spot where the work of his hand is to remain; and whatever was to be wrought in stone by foreigners must have brought them to Scotland.

We have no testimony to the practice of the portable arts, as they may be called—painting and sculpture—in Scotland, within the early period now in view, unless we may count some illuminations on manuscripts made in the cloisters as specimens of art. The carved wood-work of the churches, and the beautiful oaken sculpture in the Palace of Stirling, known as “the Stirling heads,” were doubtless foreign work. Perhaps the finest piece of carved work, both for beauty of Gothic design and practical finish, existing in the British Empire, is that of the screens, stalls, and canopies in King’s College Chapel in Aberdeen; but it is a testimony to the comparative richness of the Church and her zeal for education, rather than to the progress of national art.

It has been noticed as a feature all over Europe in the middle ages, and it is signally exemplified in Scotland, that the church-builder’s art has the mastery over all the other arts. The sculptor fills the niches of the Gothic screen, and his human figures, erect or reclining, are adjusted to lines that harmonise with those of the mouldings, the clustered columns, and the crocketed canopies, of which they are a part. The mason’s æsthetic efforts are limited by hard conditions. If he is to impart symmetry and grandeur to the work of his hands, he yet cannot depart from the condition that the nature of the work is the placing stone upon stone in such manner as may procure strength and durability with a proper adaptation to the purposes of the building. The chaser of metals, the carver in wood, the seal-engraver, and the illuminator of manuscripts, is sub-

¹ See the observations connected with the violent death of Cochrane the mason in King James III.’s reign.

ject to no such conditions; he is free to make his own choice of forms, but he selects those to which the architect is driven by the necessities of his craft, and thus bows to the architect as his master in art. So in any great ecclesiastical edifice we shall see that the designing and patterning of the great stone-work thus spread over all is repeated in the panelling of the stalls or the pulpit, in the rood-screen and the reredos. It may be said that all this is in sound taste, the tone and character of the greater elements of the whole design being repeated in the smaller. But if we look at the church plate, and at the plate that had belonged to persons not churchmen, we shall find the same forms slavishly repeated; we shall find them, too, in jewellery, in the door-keys, in the common furniture of the time, and in the illuminated capitals of the manuscripts. The tomb of Bishop Kennedy, in the church of St Salvator's in St Andrews, mutilated as this monument is, stands forth as a signal illustration of this character in art. Notable alike for the airy lightness and abundant richness of its decorations, these are all taken from architecture. We have vaults, pinnacles, clustered pillars, many-mullioned windows, and also roofs and tiny flights of turnpike stairs. If it be said all these things are to harmonise with the building in which the monument is placed, then it is seen in a comparison that the building is in a style of art two hundred years earlier than that of the monument. But what shows how completely the builder's art had taken hold over the others is seen in a silver mace that had long been buried under this monument.¹ In this beautiful piece of chased metal work the same architectu-

¹ If the St Andrews specimens of this kind of work are any way excelled, it is in the Oldenburg horn in the Rosenborg Palace in Copenhagen. It is a fairy world of tiny temples, palaces, and castles. The legend about it is that it was the work of the Troglodites working in the interior of the earth, and that it was handed by a damsel of that tribe, filled with refreshing liquid, to a Duke of Oldenburg thirsty from the chase. Engravings of this horn will be seen in the *Museum Regium seu catalogus rerum, &c.*, ab Aligero Jacobæo Hafnice, 1696, and in a curious little book of troglodite lore called *Dissertationes de admirandis mundi cataractis supra et subterraneis, &c.*, auctore Johanne Herbinio: Amstel, 1678.

ral forms that decorate the stone tomb are repeated in a still minuter fashion. There is no doubt that the finest specimens of this as of the other decorative works down to the middle of the sixteenth century, were the production of foreign artists. While thus artificially destitute and dependent on others for these physical fruits of intellectuality, Scotland was in other departments of intellectual work giving far more than she got. The contrast is a curious exemplification of the conditions necessary to the prosperity of what are called the fine arts. The stuff that made those great scholars and rhetoricians who rendered Scotland illustrious abroad, could have also given inspiration to the painter, the sculptor, and the architect; but these could only grow in a soil prepared for them by peace and prosperity.

About the material progress of the nation during the three hundred and fifty years since the War of Independence, there is little to be said. Much of stirring life as we have during that long period, there occur no instances of impulse given to trade, manufactures, or the other producers of wealth. We have seen that at the outbreak of the war the elements of wealth and comfort were noticeably large. The impression left on more than one of those who have mused over such testimony as can be had from the records of this long period is, that though Scotland had somewhat recovered from deep depression, the country was not so rich at the time of the Reformation as the long war had found it. France gave facilities of trade to her ancient ally, by exemption from customs duties, and otherwise; but the opportunities so offered seem to have met but a languid co-operation. In foreign places where the Scots had a commercial treaty, it became the practice to appoint a "conservator of privileges," whose function resembled that of the consul of the present day; the office, in one instance at least, remained as a sinecure after its uses had come to an end, and even been forgotten; and John Home, the author of 'Douglas,' was provided for as "the conservator of Scots privileges at Campvere."

There is extant the record of transactions or ledger of Andrew Haliburton, conservator of the Scots privileges at Middleburg. It runs over ten years—from 1493 to

1503.¹ He seems to have been himself—as many consuls now are—an agent or dealer in mercantile transactions. The aspect of his book does not assure us of an active intelligent commerce, conducted with the best contemporary arrangements for facilitating business. Book-keeping had advanced so far in practice among the Genoese and Netherlands merchants, that during the period of Halyburton's transactions it had been systematised in a literary treatise. But he has none of it. Further than that there is a separate statement of transactions with each of his employers or correspondents, there is no analysis, with corresponding figures, to enable the state of his business to be posted up. Each account is a history, the statements of money value being part of the narrative, and not cast free from it into separate columns to admit of the operations of the states and balances of accounts. Were one to judge by comparing his accounts with those of the lord chamberlain so far back as 1263, it might be inferred that in the interval there had been no improvement in account-keeping beyond the substitution of the Arabic figures for the Roman. The transactions are narratives. From these he might have told any correspondent which of the two was the other's debtor, and for how much; but he could not have wrought out his own pecuniary position, by making up anything approaching to the nature and services of a balance-sheet.² The goods he receives from Scotland, and sells abroad, are all raw produce—salmon, herrings, hides, furs, and wool. It would be difficult to find in his

* -- The "Ledger of A. Halyburton" is in the collection of "chronicles and memorials" relating to Scotland issued under the auspices of the Lord Clerk Register.

² Of book-keeping as an exact art, which gives no more expression to the success or failure of the transactions recorded in it than so many algebraic formulas, the conservator had so little conception that his entries of pecuniary payments and receipts bear marks of the joys or griefs associated with them. Having to record a hopeless balance against a correspondent, which a modern book-keeper would perhaps "write off" into the limbo of bad debts, he puts a note, "God keep all good men from such callants!" and of another hopeless customer he notes, "He mansworne me with evill malysious langage, and to be quyt of hym in tym to cum, I gaf hym a hayll quattans, and whyll I lyf never to deal with him."—P. 269.

record any article of Scots handiwork, farther than that the wools may have been sorted, since they are of various quality. The fish must have been cured for keeping, and the hides probably tanned. He sends back wine, with spices and other articles, now called colonial produce, evidence that Scotland bought these things from the Continental merchants instead of importing them from the place of production. On this side of his transactions are textile fabrics and other manufactures. It is observable that a large proportion of the goods he sends to Scotland are for churchmen, in the shape of books of devotion, sacerdotal robes, reliquaries, images, and the like. Thus we see that the large revenue drawn by churchmen from the land made the supply of their professional and personal wants fill up a great proportion of the traffic of the country—a certain sign of the narrowness of its trade.

We have a commemoration of an old mechanical method of making calculations and keeping accounts in the “check fesse or and azure” in the armorial blazon of the house of Stewart. Whether or not the check-board was ever actually in use by that great officer “The Steward,” it was a symbol that his duties were in the preserving and rendering of accounts of moneys received and spent. It represented the square board covered with alternate squares or checks of two colours—the same thing as a chess or backgammon board of the present day. It is within the memory of man—and perhaps the practice still lingers—that such a board was stuck up at the side of a tavern-door, indicating, by the method of striking the reckoning, that the house afforded hospitality for those who were prepared to pay for it. Such a board was a species of abacus or mechanical assistant to calculation. An angle being taken of which each side forms ten squares or checks, the square made by that angle, and the angle subtending it, would contain a hundred checks. The checks within it could be counted, or, as a first step in arithmetic, the fact might be remembered from previous counting. If figures were drawn in the squares, there were the rudiments of the multiplication-table, which was of old called the Pythagorean abacus.

In Haliburton's ledger, the standard of value is the currency of the Netherlands: that was the money that chiefly passed through his hands, and other currencies had to be balanced with it. That wherever there is wealth and commerce, the precious metals will force their way in and take their place as the fundamental measure of value, is a necessary effect of two physical conditions, more completely developed in gold than in silver. The one is the durability of the mineral, which keeps it in almost perpetual existence, in so far that the coinage of to-day may be stamped in the same gold that served for the Pharaohs of Egypt or the rulers of Tyre. The other is the difficulty and consequently the cost of production, rendering it impossible that the produce of any one year or small number of years should affect the amount of the mass that has been accumulating for thousands of years, and is hoarded up in the materials of vessels, furniture, and decorations. When there is more unwrought gold afloat than the currency requires, it finds its way into this general reserve; when there is a deficiency, the exigencies of the money market call out the hoarded plate and other investments of bullion.

Hence, if we had no visible remnants of an old coinage in Scotland, we would know that such a thing had existed. We would now know also—what those who handled the coins did not know—that the bullion would hold its ratio to the trade of the country, through a law as absolute as that of gravitation or hydraulic equation. We might expect too, as in other countries, that, in ignorance of this law, the government would attempt, but attempt in vain, to give an arbitrary value to the metallic standard. Repeatedly the number of pieces of certain denominations to be coined out of a fixed weight of metal, was enlarged, and as surely the law of equivalents righted itself by a depreciation of value exhibited in a nominal rise of prices. On one occasion the less common error of enhancement was committed. It would appear that between 1451 and 1456, there was a scale of value for the various foreign coins in use in Scotland so far under the true value, that the bullion was draining away, until Parliament sought a

remedy by erring in the opposite direction, and enacting two impossible conditions: the one that coins, foreign and native, should pass for more than their intrinsic value; and the other that the coins themselves were "to remain in the realm and not to be had out of it."¹

In Scotland, at the period we have reached, there was a national coinage of various denominations of value. The amount of home-coined money afloat in a country is, however, not so good a measure of its wealth and trade as the amount of bullion of all denominations in use. Whatever other representatives of money may be abroad, such as the old tallies, or the bank-notes of the present day, we now know that real bullion is the foundation of value. The physical conditions just referred to have settled this point, independently of the law of trade, which is subservient to them. When the precious metals are themselves used, they find their own value without law or regulation. If a paper or other currency in itself valueless, passes as the equivalent of the precious metals, it is because the law has carefully provided for the immediate convertibility of the paper, or whatever else it may be, into bullion on demand. That the bullion so used has passed through a native mint may arise from incidental causes. It may have been, as in Scotland, from the metals being found at home. It has arisen sometimes from the same hankerings after ambitious parade that have induced governments to indulge in banners, blazons of armoury, processions and pageants. In the Scandinavian countries, during the time, as it would seem, when they were enriched by maritime plunder, the gold coins of many Eastern states are believed to have been current. Several of them of great beauty and value are preserved in collections of Northern antiquities, and they appear to have been much in use as personal ornaments.² Then, on the other hand, some pieces of a very early type have led adepts in numismatics to believe that there was, so early as the

¹ Act 1456, Sc. Acts, ii. 46.

² See the index "Bractiate" in 'The Old Northern Runic Monuments' of Stephens.

eleventh century, a mint at work in the island states round the coast of Scotland governed from Scandinavia.¹ Attempts have been made to assign coins of the same period—in the reigns of Malcolm III and Donald Ban—to the mint of Scotland proper.² The oldest coinage generally admitted to be native to Scotland is of the reign of David I in the twelfth century. The early coins of Scotland resemble those of England at the same period so closely, as only to be distinguished from them by accomplished numismatists if the part of the legend referring to the country of minting is omitted or invisible. When we come to the period of the Jameses, we find that there were mints in Edinburgh, Aberdeen, Perth, Dumbarton, Roxburgh, Stirling, Glasgow, and Linlithgow. Hence few countries show a greater variety of coinage than Scotland, and yet it was a poor country, with far less real money at its command than other countries which were content with the coinage of their neighbours. In the sixteenth century Antwerp was to northern Europe what London is now to the moneyed world—the general clearing house, where the transactions of governments as well as traders were balanced and written off so far as they compensated each other. That we seldom find in the Scotland of the period much intercourse with Antwerp, shows that Scotland had a small place in the trade of the world.

We have still more distinct testimony to scarcity of money in an account of a subscription by the community of Aberdeen for repairing the choir of their parish church in 1493. "It was a very popular object, for the citizens were not only good churchmen, but were proud of their church, and zealous servants of their patron St Nicholas. But money was not to be had, and a large majority of the subscribers bound themselves to pay *in kind*, as we should say, each man in the commodity in which he dealt, or

¹ See these described and figured in 'A View of the Coinage of Scotland, with copious Tables, Lists, Descriptions, and Extracts from Acts of Parliament, and an Account of numerous hoards or parcels of Coins discovered in Scotland, and of Scottish Coins found in Scotland,' by John Lindsay, Esq., Barrister-at-law, Cork, 1845 4to. Ibid., p. 4.

which he chanced to have in store. Alexander Reid Alderman, and Alexander Chalmer, each gave a barrel of salmon; Alexander Menzies a barrel of salmon and a hundred of lentinware; Robert Blindsele gave a barrel of salmon and eighteen shillings of money; others gave barrels of grilse, a quarter of a hundred lambskins, a dozen futfell. Many bestowed lentrinware, but a still larger number subscribed salmon and grilse. Richard Wright not being rich in worldly goods subscribed *labores pro octo diebus*, and William Wright the same. Those who gave money did not for the most part go beyond five shillings. Andrew Litster gave 'ane cow.' Another burgess subscribed a piece of land; but small quantities of sheepskins and lambskins were the most usual contributions after the fish of the river."¹ There arose in later times a distinction between the local coinage of Scotland and what was called "sterling" money. A reference to sterling as a denomination of coin is found as early as the time of King Robert the Bruce.² The difference between Scots money and sterling money broadened with the lapse of time, until they no longer professed to be equivalent. At last the hundred pounds Scots was represented by eight pounds six shillings and eightpence of the sterling money in use in England.

The mineral riches of Scotland were so far sought that we can trace a small export trade in metals. We have seen that gold belongs to the geological formation of Scotland. Down to the period we have reached it seems to have been from time to time found disin-

¹ Preface to Ledger of Andrew Halyburton, lxx.

² "With regard to this word 'sterling,' it no doubt means the coinage of the 'Easterlings,' as it was the currency of the people who went by that name along the shores of the Baltic and in the trade of the north. It gradually narrowed, however, in meaning, until it came to express precisely the silver penny which was the universal medium of commerce in the north of Europe for many centuries; and a sum of money or a weight of silver was specifically fixed to be of good and lawful pennies—*denariorum*, or more commonly *bonorum et legalium sterlingorum*. As England rose in wealth and trade, the pennies coined by the English Edwards and Henries became the prevailing currency over the north of Europe."—Innes's *Scotch Legal Antiquities*, 64.

egrated from the rock Bishop Leslie describes the streams of the Lanarkshire heights carrying so much of it in the gravel brought down by the floods, as if each were a very Pactolus, but he makes a significant admission in telling us that the sifting of this gravel for gold is the occupation of the poor¹

Among the Acts passed in the busy Parliament held by James I when he returned from England, gold and silver mines were made the property of the crown, "as is usual in other realms" The form of the Act is peculiar, as being an offering of this prerogative to the crown by the lords of Parliament At the same time a duty was laid on all gold and silver exported from the realm² At the time when Henry VIII was casting greedy eyes on Scotland, the richness of the gold fields of the country seems to have been an object of consideration, as affecting the value of the proposed plunder Wharton sends a specimen of "gold coined in Scotland, the time of Duke Albany being there," from nuggets found on Crawford Moor, and says, "If it shall so stand with the king's majesty's pleasure, I shall cause the ground to be seen without suspicion thereof, and the manner and order of the work, as the same hath continued and at this present standeth, and shall make certificate thereof accordingly" But Wharton seems to have taken too sensible a view of the affair to stimulate much hope of riches from such a source Sir Adam Otterburn told him how James IV "made great work upon the moor, and all that he did find was gold in pieces loose in the earth, and never could find any vein thereof, and, as he said, the charges of workmen surmounted the value of the thing gotten"³

Lead was extracted, at a very early period, in the district of the present Wanlockhead mines The method of separating any portions of silver that might

¹ De Origine, &c, II The 'Scotiæ Descriptio,' in which such matters are mentioned, has no counterpart in the vernacular history by Leslie, often referred to above

² Act Parl, II 5

³ State Papers (Henry VIII), v 575

be in the matrix of lead must have been early in use, as the royalty established in favour of James I. applies to those mines where "three halfpennies of silver may be found out of the pound of lead." Whenever any names come up in connection with mining operations, they generally belong to Englishmen, Germans, or Dutchmen.¹ About the time we have reached, a contract was entered on for giving a foreigner the working of the lead-mines, on the condition of his sending a certain amount of silver to the royal cunyie-house, coin-house, or mint."²

That there was iron in Scotland was known at an early age; but there are but faint, if any, traces of its having been wrought, and there is nothing until long after the period we have reached to show that the country was conscious of the enormous source of wealth it contained in this shape.

Coal was used, but probably only found where it cropped out on the surface of the soil. We are told of its use, and of other customs, by an eminent observer, known to literature as *Æneas Sylvius Piccolomini*, and to history as Pope Pius II., who visited Scotland in the year 1435, to transact business about some obscure affair of ecclesiastical patronage. The notes left by such visitors are naturally considered very precious; but we may find, as on this occasion, that there is not much of distinct truth to be gained from their appreciation of the broad social conditions of a country. In his judgment regarding feminine modesty and decorum in Scotland, he utterly contradicts, at least in essentials, another observer, Don Pedro de Ayala, who a few years afterwards had fuller opportunity of noticing the social conditions of the country.

Piccolomini tells—what we can easily believe very no-

¹ See several details about early mining, picked out of charters and other documents, in Chalmers's *Caledonia*, iii. 733.

² "Herefore we bind and oblige us faithfully to the queen's majesty, and her said treasurer in her name, to deliver to her grace's cunyie-house, betwix this and the first day of August next to cum, forty-five unce of utter fine silver for every thousand stanewecht of the said twenty thousand stanes of led-ore."—*The Discoverie and Historie of the Gold Mynes of Scotland*, by Stephen Atkinson, Appendix, 88.

ticeable to an Italian belonging to a distinguished and wealthy family—that the country was very poor; that many houses in it were built without lime, and roofed with turf; and that the towns were not fortified. He says something much more distinct to the interests of the present day, when he reports, to his own special audience, a practice of the Scots, which he gives with the exactness of a man who knows that he is telling truth to the incredulous. He finds, among the other poverties and barbarisms of these Scots, that they dig out of the earth a mineral of sulphurous quality, and use it as fuel. He tells, with the misgiving of a man who scarcely expects to be believed, how he first noticed the value set on this black mineral. He observed that the half-naked beggars at the church-doors received portions of it as alms, and went away thankful. It is, on the whole, treated compassionately, rather than otherwise, that a people should be reduced to the use of so sordid a fuel. He notes that the country is treeless. Perhaps it was so in the district of the south, which alone he saw. He would have both reason and opportunity for observing the bareness of the ten long miles of country over which he walked twice bare-footed on the frozen ground on a pilgrimage, though that district is now thickly wooded.¹ The Highlands, on the other hand, were covered with native forests, which have been destroyed in later times. John Major, who was acquainted with other countries, mentions the dense forests of the Highlands, or Caledonian Alps, enhancing their inaccessible nature. Hence came a significant element in the distinction between the two races inhabiting the land—the Saxon Lowlander delving the ground, and striving to extract nourishment from the sterile soil on which his lot was cast; the mountaineer hiding in the deep forests which clothed his mountains, and issuing from fastnesses nearly inaccessible, to plunder from time to time his industrious neighbour.

● Although it has been noted, as a general impression created by the tenor of the author's reading, that Scot

land was not so rich at the Reformation as at the beginning of the War of Independence, it is proper to note that there was one period of evidently rapid prosperity in her annals. This was during the reign of James IV., just after the Wars of the Roses had kept the national enemy busy at home. We have seen how, in that reign, Scotland obtained a considerable diplomatic position among the European powers, and how an ambassador from the proud monarchs of Spain was observing, with close interest, the turn of Scots politics. We have seen his picturesque description of the King of Scots transmitted to his own Court. He reported at the same time on the institutions of the country—its agriculture, its trade, and in some measure on its social conditions and customs. He writes as one who had found on his mission a powerful and prosperous community, with which it were better to be in alliance than at war. On the sources of revenue he says, "The import duties are insignificant, but the exports yield a considerable sum of money, because there are three principal articles of export—that is to say, wool, hides, and fish. The customs are worth about 25,000 ducats a-year. They have much increased, and will continue to increase." This revenue on exports would some fifty years ago have been denounced by the prevalent school on the economy of trade as a gross folly, leading to certain national ruin; but the later school of political economy puts import and export duties, as attesting the ratio of national prosperity, pretty nearly on a balance against each other.

The ambassador reported to his Court on many matters coming under his notice in Scotland. From his Spanish training, even had he cultivated the faculty of observing political institutions at the Court of the Emperor or at Paris, he was not likely to form a clear notion of the political and social condition of such a country as Scotland. In the dearth, however, of notices of the country from without, his should not be thrown away. "They want the coherence which might be given to the facts coming under his notice, if we had them now as he got them. In some things, too, he has been mistaken; and his estimate of the force of mounted men available for war in Scotland

is so preposterous that we must suppose it to have come of a slip of the pen.

Without seeing a way to anything more precise or instructive by way of commentary upon the following passages, they are given as they stand in the authorised version of the report on the Court of James IV. and the people of Scotland, in the year 1498, sent by the prothonotary, Don Pedro de Ayala, to Ferdinand and Isabella. —

“They spend all their time in wars, and when there is no war, they fight with one another. It must, however, be observed, that since the present king succeeded to the throne, they do not dare to quarrel so much with one another as formerly, especially since he came of age. They have learned by experience that he executes the law without respect to rich or poor. I am told that Scotland has improved so much during his reign that it is worth three times more now than formerly, on account of foreigners having come to the country, and taught them how to live. They have more meat, in great and small animals, than they want, and plenty of wool and hides.

“Spaniards who live in Flanders tell me that the commerce of Scotland is much more considerable now than formerly, and that it is continually increasing.

“It is impossible to describe the immense quantity of fish. The old proverb says already ‘Piscinata Scotia.’ Great quantities of salmon, herring, and a kind of dried fish, which they call stock-fish (*stoque fix*), are exported. The quantity is so great that it suffices for Italy, France, Flanders, and England. They have so many wild fruits which they eat, that they do not know what to do with them. There are immense flocks of sheep, especially in the savage portions of Scotland. Hides are employed for many purposes. There are all kinds of garden fruits to be found which a cold country can produce. They are very good. Oranges, figs, and other fruits of the same kind, are not to be found there. The corn is very good, but they do not produce as much as they might, because they do not cultivate the land. Their method is the following: they plough the land only once when it has grass on it, which is as high as a man, then they sow the corn.

and cover it by means of a harrow, which makes the land even again. Nothing more is done till they cut the corn. I have seen the straw stand so high after harvest, that it reached to my girdle. Some kind of corn is sown about the Feast of St John, and is cut in August.

"The people are handsome. They like foreigners so much that they dispute with one another as to who shall have and treat a foreigner in his house. They are vain and ostentatious by nature. They spend all they have to keep up appearances. They are as well dressed as it is possible to be in such a country as that in which they live. They are courageous, strong, quick, and agile. They are envious to excess.

"The kings live little in cities and towns. They pass their time generally in castles and abbeys, where they find lodgings for all their officers. They do not remain long in one place. The reason thereof is twofold. In the first place, they move often about, in order to visit their kingdom, to administer justice, and to establish police where it is wanted. The second reason is, that they have rents in kind in every province, and they wish to consume them. While travelling, neither the king nor any of his officers have any expenses, nor do they carry provisions with them. They go from house to house, to lords, bishops, and abbots, where they receive all that is necessary. The greatest favour the king can do to his subjects is to go to their houses.

"The women are courteous in the extreme. I mention this because they are really honest, though very bold. They are absolute mistresses of their houses, and even of their husbands, in all things concerning the administration of their property, income as well as expenditure. They are very graceful and handsome women. They dress much better than here (England), and especially as regards the head-dress, which is, I think, the handsomest in the world.

"The towns and villages are populous. The houses are good, all built of hewn stone, and provided with excellent doors, glass windows, and a great number of chimneys. All the furniture that is used in Italy, Spain, and France, is to be found in their dwellings. It has not been bought in modern times only, but inherited from preceding ages.

"The queen possess, besides their baronies and castles, four country-seats, situated in the best portions of the kingdom, each of which is worth about fifteen thousand ducats. The king fitted them up anew only three years ago. There is not more than one fortified town in Scotland, because the kings do not allow their subjects to fortify them. The town is a very considerable borough, and well armed. The whole soil of Scotland belongs to the king, the landholders being his vassals, or his tenants for life, or for a term of years. They are obliged to serve him forty days, at their own expense, every time he calls them out. They are very good soldiers. The king can assemble, within thirty days, 120,000 horse. The soldiers from the islands are not counted in this number. The islands are half a league, one, two, three, or four leagues distant from the mainland. The inhabitants speak the language and have the habits of the Irish. But there is a good deal of French education in Scotland, and many speak the French language. For all the young gentlemen who have no property go to France, and are well received there, and therefore the French are liked. Two or three times I have seen, not the whole army, but one-third of it assembled, and counted more than 12,000 great and small tents. There is much emulation among them as to who shall be best equipped, and they are very ostentatious, and pride themselves very much in this respect. They have old and heavy artillery of iron. Besides this, they possess modern French guns of metal, which are very good. King Louis gave them to the father of the present king in payment of what was due to him as co-heir of his sister, the Queen of Scotland."¹

¹ Calendar of Letters, &c., relating to the negotiations between England and Spain, preserved in the Archives of Simancas and elsewhere, edited by G. A. Bergenroth, p. 168-175.

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